

**EXHIBIT D**



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**Transcript of the Testimony of J. Barry Girvin**

**Date:** March 3, 2008

**Case:** Stacy Snyder v. Millersville University, et al.

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IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT  
OF PENNSYLVANIA

\* \* \* \* \*

STACY SNYDER, \*

Plaintiff \* Case No.

vs. \* 07-1660

MILLERSVILLE \*

UNIVERSITY, J. \*

BARRY GIRVIN, DR. \*

JANE BRAY, DR. \*

VILAS A. PRABHU, \*

Defendants \*

\* \* \* \* \*

DEPOSITION OF

J. BARRY GIRVIN

March 3, 2008

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1 DEPOSITION  
 2 OF  
 3 J. BARRY GIRVIN, taken on behalf of  
 4 the Plaintiff herein, pursuant to the  
 5 Rules of Civil Procedure, taken  
 6 before me, the undersigned, Susan  
 7 Koons, a Court Reporter and Notary  
 8 Public in and for the Commonwealth of  
 9 Pennsylvania, at One South George  
 10 Street, Millersville, Pennsylvania,  
 11 on Monday, March 3, 2008 beginning at  
 12 9:27 a.m.  
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1 A P P E A R A N C E S  
 2  
 3 MARK W. VOIGT, ESQUIRE  
 4 Plymouth Meeting Executive Campus  
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 7 Plymouth Meeting, PA 19462  
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 9  
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 13 Charge  
 14 Litigation Section  
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 16 Philadelphia, PA 19107  
 17 COUNSEL FOR DEFENDANTS  
 18  
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 21  
 22  
 23  
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1 I N D E X  
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 3 WITNESS: J. BARRY GIRVIN  
 4 EXAMINATION  
 5 by Attorney Voigt 7 - 227  
 6 CERTIFICATE 228  
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1 EXHIBIT PAGE  
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1                   OBJECTION PAGE  
 2  
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 4   Kramer                           21, 34, 43, 48, 49, 61,  
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1                   '62. After that, I started teaching  
 2                   and I started working on graduate  
 3                   work. I received a Master's degree  
 4                   in education here at Millersville.  
 5                   That would have been '66, an MED.  
 6                   And then I went on to the University  
 7                   of Delaware where I got an MA in  
 8                   history.  
 9                   Now, over that time I had some  
 10                  decisions to make and I decided to  
 11                  pursue a supervisory certificate and  
 12                  apply for a position as a supervisor  
 13                  in Conestoga Valley where I was  
 14                  teaching, and so I did that. And I  
 15                  became supervisor of the department  
 16                  and was supervisor for 22 years.  
 17                  **Q. In what department was that?**  
 18                  **History you said?**  
 19                  A. Social Studies.  
 20                  **Q. Social Studies. Okay. And**  
 21                  **that's at Conestoga Valley School**  
 22                  **District?**  
 23                  A. Yes.  
 24                  **Q. Okay.**  
 25                  A. As far as other credits, I

1                   P R O C E E D I N G S  
 2   -----  
 3   J. BARRY GIRVIN, HAVING FIRST BEEN  
 4   DULY SWORN, TESTIFIED AS FOLLOWS:  
 5   -----  
 6   EXAMINATION  
 7   BY ATTORNEY VOIGT:  
 8   **Q. Would you state your name and**  
 9   **business address for the record?**  
 10   A. J. Barry Girvin. My business  
 11   address is Millersville University at  
 12   --- I think at the time that this was  
 13   filed it was in the government  
 14   building.  
 15   **Q. Okay.**  
 16   A. You have it there.  
 17   **Q. Describe your educational and**  
 18   **professional background starting at**  
 19   **college, please.**  
 20   A. Well, I went to Millersville  
 21   for my undergraduate work. I majored  
 22   in Social Studies and minored in  
 23   English and received a certification  
 24   in both of those areas when I  
 25   graduated. That would have been in

1                   took numerous courses and received  
 2                   numerous certifications. You have my  
 3                   résumé so it's on there. Numerous  
 4                   certifications as far as supervising  
 5                   and working with teachers and my  
 6                   supervisory certificate gave me the  
 7                   same authority to evaluate teachers  
 8                   and hire teachers at Conestoga Valley  
 9                   as a principal. So they say I had  
 10                  numerous credits over the years and I  
 11                  also had taught --- teaching Social  
 12                  Studies here for 12 years here at  
 13                  Millersville, which was the course  
 14                  that people had to take before they  
 15                  went out to student teach.  
 16   **Q. Let me interject. I'm looking**  
 17   **at your résumé on Exhibit Plaintiff's**  
 18   **Two. These are the exhibits. We**  
 19   **have two volumes of them.**  
 20   A. Okay.  
 21   **Q. All right. Turn to**  
 22   **Plaintiff's Two, page two.**  
 23   A. All right.  
 24   **Q. This is your Curriculum Vitae;**  
 25   **right?**

1 A. Yes.  
 2 Q. And it's current and up to  
 3 date?  
 4 A. Yes.  
 5 Q. I'm looking at page two where  
 6 it says supervisor of student  
 7 teachers under part-time. Would you  
 8 elaborate on that? During what time  
 9 frame were you a part-time supervisor  
 10 of student teachers?  
 11 A. I never was a full-time  
 12 supervisor of student teachers. I  
 13 was never a full-time employee here,  
 14 always part-time. And I hope that's  
 15 the answer to that question.  
 16 Q. So even after you retired from  
 17 Conestoga Valley in 1996, you  
 18 remained part-time at Millersville;  
 19 correct?  
 20 A. Correct.  
 21 Q. Okay. How many hours do you  
 22 work at Millersville? Can you give  
 23 me an idea?  
 24 A. Do you mean then?  
 25 Q. Well, back in 2006 and then

1 Q. Yes. Do you know Deann  
 2 Buffington?  
 3 A. Yes.  
 4 Q. How well do you know her?  
 5 A. Not very well. I left there,  
 6 retired there before she came there  
 7 as a supervisor. I knew her from  
 8 having like one student teacher with  
 9 her when she was at Warwick.  
 10 Q. When was that?  
 11 A. I don't recall, a couple years  
 12 before that.  
 13 Q. That would be early '90s?  
 14 A. Yeah, before she came to ---  
 15 so I retired in '96, so it was  
 16 probably in the early '90s sometime.  
 17 Q. And what was the student  
 18 teacher's name, do you remember?  
 19 A. I don't recall.  
 20 Q. Did the student teacher  
 21 eventually receive a certification?  
 22 A. No.  
 23 Q. Do you know why?  
 24 A. Yes.  
 25 Q. What would that reason be?

1 now.  
 2 A. Well, I am not only in the  
 3 education department, but I'm also in  
 4 the government department. And so it  
 5 hasn't varied much over time. My  
 6 class schedule at Millersville ---  
 7 usually I had a government course in  
 8 the spring, and I would supervise  
 9 maybe three or four student teachers  
 10 in both the fall and the spring. And  
 11 then I do summer workshops for  
 12 teachers, which --- about one week,  
 13 40 hour a week workshops.  
 14 Q. You said you supervised three  
 15 to four student teachers. Would that  
 16 number remain constant since you  
 17 began at Millersville in 1991 or has  
 18 it fluctuated?  
 19 A. It hadn't fluctuated very much  
 20 until these last couple years when I  
 21 didn't take any.  
 22 Q. Okay. Now, you taught at  
 23 Conestoga Valley School District for  
 24 about 24 years; right?  
 25 A. Thirty-four (34), I believe.

1 A. He just gave up, he decided  
 2 teaching wasn't for him.  
 3 Q. Did he give up after the  
 4 student teaching semester during  
 5 which Ms. Buffington was his  
 6 supervising teacher?  
 7 A. I'm sorry.  
 8 Q. Was Buffington the student's  
 9 supervising teacher or was she ---?  
 10 A. Cooperating.  
 11 Q. Cooperating teacher. Okay.  
 12 So Ms. Buffington was this student's  
 13 cooperating teacher and he gave up;  
 14 is that right?  
 15 A. Yes.  
 16 Q. Did he give up during the  
 17 cooperating seminar or semester?  
 18 A. Yes.  
 19 Q. You never asked him why he  
 20 gave up?  
 21 A. Yes. He just felt that he  
 22 couldn't handle the students, that he  
 23 wasn't --- he just figured this  
 24 wasn't him and that was it. It was  
 25 an honest self-appraisal, I felt.

<p>1     <b>Q.</b> You didn't talk to Ms.      2     Buffington about her role, if any, in      3     students giving up?      4     A. Yes, I did.      5     <b>Q.</b> Would you have this student's      6     name written down somewhere?      7     A. I think so.      8     <b>Q.</b> I just ask that you produce      9     the student's name at your earliest      10    convenience.      11    A. Okay.      12    <b>Q.</b> So you never had any      13    involvement with Ms. Buffington and      14    student teachers other than that one      15    time?      16    A. Correct.      17    <b>Q.</b> Did you ever socialize with      18    Ms. Buffington?      19    A. Yes.      20    <b>Q.</b> How often would you socialize      21    with her?      22    A. Once.      23    <b>Q.</b> Once. What was the nature of      24    that socialization?      25    A. It was a party that some --- I</p>	<p>1     think about it. She took one of my      2     summer workshops here at      3     Millersville. As I recall, it was      4     local history and geography.      5     <b>Q. When was that?</b>      6     A. I would say it was probably a      7     couple years before she had Stacy as      8     a student teacher.      9     <b>Q. Approximately 2004, 2003?</b>      10    A. Yeah. Yeah.      11    <b>Q. Okay. So she was a student at</b>      12    <b>Millersville at that time?</b>      13    A. Yeah, she was taking summer      14    courses to get her permit of      15    teaching.      16    <b>Q. Okay. Was she an</b>      17    <b>undergraduate or did she already have</b>      18    <b>---</b>?      19    A. She was an undergraduate. I      20    mean, she was a graduate student, not      21    undergraduate.      22    <b>Q. Did you ever socialize with</b>      23    <b>Ms. Reinking?</b>      24    A. No.      25    <b>Q. During college --- back to</b></p>
--	---

<p>1     think it was a retirement party that      2     somebody at CV retired, that she was      3     there and I was there. I don't know      4     if you would say that was socializing      5     or not.      6     <b>Q. Was alcohol served at that</b>      7     <b>party?</b>      8     A. Yes.      9     <b>Q. Did you observe Ms. Buffington</b>      10    <b>drinking any alcohol during that</b>      11    <b>party?</b>      12    A. I don't recall.      13    <b>Q. Did you drink alcohol during</b>      14    <b>that party?</b>      15    A. Yes.      16    <b>Q. Were any photographs taken</b>      17    <b>during that party that you know of?</b>      18    A. Not that I recall.      19    <b>Q. Do you know Nicole Reinking?</b>      20    A. Yes.      21    <b>Q. How well do you know her?</b>      22    A. Not well at all. I met her      23    the first time when Ms. Snyder was      24    assigned to her as a student teacher.      25    Well, that's not true now that I</p>	<p>1     <b>your résumé. Did you ever drink an</b>      2     <b>alcoholic beverage during college?</b>      3     A. Not that I recall. I didn't      4     drink at all until I was 21. You      5     know, I was not the type of person      6     who did a lot socializing because I      7     had to work to get my way through. I      8     was off campus, and so I didn't get      9     involved in campus-type activities at      10    all.      11    <b>Q. Did you ever attend a costume</b>      12    <b>party at college?</b>      13    A. No.      14    <b>Q. Have you had any education or</b>      15    <b>training in freedom of speech among</b>      16    <b>college students? I know that you're</b>      17    <b>a Social Studies professor.</b>      18    A. Yes.      19    <b>Q. What courses have you taken in</b>      20    <b>that subject?</b>      21    A. I haven't taken any formal      22    courses but workshops conducted by      23    Dr. --- the superintendent at the      24    Lampeter-Strasburg High School. He      25    is an expert in school law and he</p>
--	---

1 does workshops for teachers through  
 2 the intermediate community, and I  
 3 attended his workshop.  
 4 **Q. When was that?**  
 5 A. I don't recall.  
 6 **Q. Was it more than five years**  
 7 **ago, more than ten years ago?**  
 8 A. I would say five years ago.  
 9 **Q. Five years ago. Did you ever**  
 10 **have any education or training in due**  
 11 **process in the public university**  
 12 **setting?**  
 13 A. No.  
 14 **Q. When you did first meet Stacy**  
 15 **Snyder?**  
 16 A. At the orientation for student  
 17 teachers.  
 18 **Q. Describe your first meeting.**  
 19 A. I had three student teachers,  
 20 a Social Studies and an English both  
 21 who were going to be at the middle  
 22 school at CV; and then Stacy, who was  
 23 to be at the high school. They and I  
 24 listened to all the presentations,  
 25 and then I met with them privately

1 each one of the observations. And I  
 2 asked if they had any questions.  
 3 **Q. How long did the meeting last?**  
 4 A. I would say a half hour to 45  
 5 minutes.  
 6 **Q. During this meeting, did you**  
 7 **tell Ms. Snyder that she was an**  
 8 **employee of Conestoga Valley School**  
 9 **District?**  
 10 A. No.  
 11 **Q. During this initial meeting,**  
 12 **did you tell Ms. Snyder that she was**  
 13 **an apprentice at Conestoga Valley**  
**School District?**  
 14 A. I'm not sure I used the word  
 15 apprentice, but I always tried to get  
 16 it across to student teachers that  
 17 they were there to learn from other  
 18 teachers, not only their cooperating  
 19 teacher but from other teachers that  
 20 they would observe. And that in that  
 21 category, they needed to know their  
 22 place and they needed to try to  
 23 create a good, friendly situation, a  
 24 respectful situation with faculty and

1 and talked about my expectations.  
 2 **Q. Describe that first meeting.**  
 3 **What did you talk about with Stacy?**  
 4 A. Well, I talked to all three of  
 5 them at the same time, but I went  
 6 over the obligations that they had  
 7 for Millersville University, things  
 8 that had to be done. And what I'm  
 9 talking about is things like  
 10 shadowing students they were going to  
 11 have in class, preparing documents  
 12 about students who had IEPs,  
 13 interviewing teachers, observing  
 14 experienced teachers, preparing their  
 15 unit that they were going to teach  
 16 with Millersville called the CIRQL  
 17 unit. And generally I told them that  
 18 if they encountered problems I wanted  
 19 to know about it early on, and that I  
 20 expected to have a good relationship  
 21 with them.  
 22 I explained that I would be  
 23 coming in to do observations and that  
 24 these would be written and that we  
 25 would be having a conference after

1 that --- in doing that and creating  
 2 that kind of a situation, they would  
 3 open the door for people to know  
 4 about them and know about their  
 5 qualities and could have implications  
 6 as far as jobs and so forth.  
 7 **Q. But you never referred to**  
**Stacy as an apprentice?**  
 8 A. I never used that term that I  
 9 recall.  
 10 **Q. You never told Stacy that she**  
**was anything but a college student**  
**visiting Conestoga Valley; correct?**  
 11 ATTORNEY KRAMER:  
 12 I'm going to object to  
 13 the form of the question. It  
 14 assumes a fact that he hasn't  
 15 testified to.  
 16 ATTORNEY VOIGT:  
 17 Okay.  
 18 BY ATTORNEY VOIGT:  
 19 **Q. You never referred to Stacy as**  
**anything other than a college student**  
**attending classes for --- studying at**  
**Conestoga Valley; correct?**

1 A. Well, what I told her and the  
 2 other student teachers was that when  
 3 they're out in the school they have  
 4 to abide by the rules in those  
 5 schools. I mean, something as simple  
 6 as vacations. You know, when the  
 7 other kids may be in Florida, you're  
 8 going to be here working because  
 9 you're on this schedule. And also  
 10 they needed to abide by all the rules  
 11 and regulations that were enforced at  
 12 the building because for all  
 13 practical purposes they were part of  
 14 the faculty and therefore, anything  
 15 that applied to their cooperating  
 16 teacher applied to them. And that  
 17 they were also covered by the  
 18 school's insurance as far as  
 19 liability was concerned and I did  
 20 ---.  
 21 Q. By the school's insurance  
 22 meaning Conestoga Valley?  
 23 A. Yes. But I did also suggest  
 24 to them that it would be a good idea  
 25 for them to join their professional

1 organizations for the simple reason  
 2 that that gives them additional  
 3 insurance.  
 4 Q. How do you know that Stacy was  
 5 covered by Conestoga Valley's  
 6 insurance?  
 7 A. Well, anybody who's, you know,  
 8 on campus there in any capacity is  
 9 covered by the liability insurance.  
 10 Q. Did you talk to anybody about  
 11 that?  
 12 A. No.  
 13 Q. You just assumed it?  
 14 A. Yes.  
 15 Q. You never --- let me just get  
 16 it straight. During that initial  
 17 meeting, you never told or intimated  
 18 to Stacy that her status was no  
 19 longer that of a college student?  
 20 A. No.  
 21 Q. Were you ever Stacy's  
 22 instructor at Millersville?  
 23 A. No.  
 24 Q. You never taught her any  
 25 subjects?

1 A. No.  
 2 Q. Okay. And I take it you had  
 3 no interactions with Stacy between  
 4 the time she first enrolled at  
 5 Millersville and the start of the  
 6 seminar or the orientation that you  
 7 described; correct?  
 8 A. Correct.  
 9 Q. Turn to Plaintiff's Exhibit  
 10 25. It's a poor copy so you can look  
 11 at mine if you need to. This is the  
 12 foundations block evaluation  
 13 completed by a Lakisha Harden  
 14 (phonetic). Do you see that?  
 15 A. Yes. Yes.  
 16 Q. Have you ever reviewed this  
 17 document?  
 18 A. Yes.  
 19 Q. Did you review it when you  
 20 assumed your role as Stacy's  
 21 supervisor in or about January of  
 22 2006?  
 23 A. Yes, I did.  
 24 Q. Who is Lakisha Harden, do you  
 25 know her?

1 A. No.  
 2 Q. So you have no reason to doubt  
 3 Ms. Harden's competence in evaluating  
 4 Stacy; correct?  
 5 A. Correct.  
 6 Q. And turn to page two. And I  
 7 know that your copy is poor so let me  
 8 show you mine. Who is Barbara  
 9 Spangle? Do you see her signature  
 10 down there?  
 11 A. Well, she's a professor at the  
 12 University and at the time she may  
 13 have been the department chair. I'm  
 14 not sure. She was department chair  
 15 for about a year so --- but  
 16 nonetheless, she's a professor.  
 17 Q. All right. And Ms. Spangle  
 18 recommended Stacy for advanced  
 19 professional studies; correct?  
 20 A. Yes.  
 21 Q. And you have reason to doubt  
 22 Ms. Spangle's confidence in making  
 23 that recommendation; correct?  
 24 A. Correct.  
 25 Q. Turn to Plaintiff's Four.

1 This is the Millersville University  
 2 guide for student teaching; correct?  
 3 A. Correct.  
 4 Q. Are you familiar with this  
 5 document?  
 6 A. Yes.  
 7 Q. Did you have any role in  
 8 preparing this document?  
 9 A. No.  
 10 Q. Do you know whether Stacy  
 11 received a copy of this document?  
 12 A. Yes, she did.  
 13 Q. Did you give it to her?  
 14 A. Yes.  
 15 Q. And did you give it to her at  
 16 that first orientation meeting?  
 17 A. She got it then. I don't know  
 18 if I gave it to her or whether they  
 19 gave it to her at the ---.  
 20 Q. Do you know if Ms. Reinking  
 21 got a copy of this?  
 22 A. Yes.  
 23 Q. Did you give it to her?  
 24 A. I'm not sure whether I gave it  
 25 to her or whether she got it in her

1 A. Uh-huh (yes).  
 2 Q. Is that a yes?  
 3 A. Yes.  
 4 Q. You have to answer yes or no.  
 5 A. I see it.  
 6 Q. Okay. So student teachers are  
 7 assigned to cooperating teachers, not  
 8 to schools or school districts. Do  
 9 you see that?  
 10 A. Yes. Yes.  
 11 Q. And do you agree with that  
 12 statement?  
 13 A. Yes.  
 14 Q. Before we go any further, I  
 15 think I was remiss at the start of  
 16 this deposition in not going over  
 17 some of the particulars, and it might  
 18 not be a bad idea to do that now.  
 19 First of all, the court  
 20 reporter has administered an oath,  
 21 and that oath is the same oath as you  
 22 would take in a court of law and it  
 23 carries with it the same penalties,  
 24 so you have to tell the truth, the  
 25 whole truth and nothing but the

1 packet that was sent to her by  
 2 Millersville. But she had it.  
 3 Q. Turn to page seven, please.  
 4 These are the policies and procedures  
 5 that are included in the guide;  
 6 correct?  
 7 A. Uh-huh (yes).  
 8 Q. You did not write these, did  
 9 you?  
 10 A. No.  
 11 Q. Do you know who wrote these?  
 12 A. They're developed by the  
 13 department.  
 14 Q. Would that be Ms. Bray's  
 15 responsibility to develop policy and  
 16 procedures like this?  
 17 A. I'm not sure when these were  
 18 developed, but she would have had  
 19 ultimate responsibility for them.  
 20 Now, whether she actually  
 21 participated, I don't know.  
 22 Q. Okay. I'm looking at the top  
 23 the first bolded section entitled  
 24 assignment of student teachers. Do  
 25 you see that?

1 truth. Okay?  
 2 A. Uh-huh (yes).  
 3 Q. Is that a yes?  
 4 A. Yes.  
 5 ATTORNEY KRAMER:  
 6 You have to give a  
 7 verbal response.  
 8 BY ATTORNEY VOIGT:  
 9 Q. And also, as you can see, the  
 10 reporter is transcribing everything  
 11 that we say on a stenographic  
 12 machine. So as your Counsel said,  
 13 you need to answer yes or no rather  
 14 than uh-huh or uh-uh, et cetera. You  
 15 need to answer with a worded response  
 16 rather than a nod of the head or a  
 17 shake of the head, agreed?  
 18 A. Yes.  
 19 Q. Good. Okay. And you need to  
 20 wait until the questioner, probably  
 21 me, is done with the question before  
 22 you respond because the reporter can  
 23 not take down two people talking at  
 24 once.  
 25 Now, at the conclusion of this

<p>1 deposition, the reporter will prepare 2 a transcript which is word-for-word 3 recitation of everything that we say 4 here.</p> <p>5 ATTORNEY VOIGT: 6 And Mr. Kramer, I 7 didn't discuss this, but I 8 assume the usual stipulations 9 are in effect?</p> <p>10 ATTORNEY KRAMER: 11 Yes.</p> <p>12 ATTORNEY VOIGT: 13 Okay. So the signing 14 and sealing are waived of that 15 transcript. Do you want the 16 witness to read and sign?</p> <p>17 ATTORNEY KRAMER: 18 Yes.</p> <p>19 ATTORNEY VOIGT: 20 Okay. Excellent.</p> <p>21 ATTORNEY KRAMER: 22 Off the record.</p> <p>23 OFF RECORD DISCUSSION 24 BY ATTORNEY VOIGT: 25 Q. Going back to Plaintiff's</p>	<p>1 Q. And it says in the next 2 paragraph, a student teacher should 3 accept every task as a potential 4 learning experience; correct? 5 A. Yes. 6 Q. And two paragraphs down under 7 professional conduct, it says the 8 student teacher must continue to 9 adhere to the MU, which I take it as 10 Millersville University, student code 11 of conduct; correct? 12 A. Correct. 13 Q. And it doesn't say anything 14 about the student teacher adhering to 15 the code of conduct at the 16 cooperating school; does it? 17 A. No. 18 Q. Turn to page ten. These are 19 the responsibilities of the student 20 teacher. Do you see that at the top 21 of the page? 22 A. Yes. 23 Q. Okay. Now, under teaching, 24 the last bullet, it says, as your 25 confidence increases, try unique and</p>
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<p>1 Four, same page farther down under 2 professional conduct. 3 A. Uh-huh (yes).</p> <p>4 Q. It says the student teacher is 5 a guest of the cooperating school. 6 Do you agree with that? 7 A. Yes. 8 Q. It doesn't say anything about 9 the student teacher being an 10 apprentice at the cooperating school, 11 does it? 12 A. No. 13 Q. It doesn't say anything about 14 the student teacher being an employee 15 of the cooperating school; correct? 16 A. Correct. 17 Q. It says the student teacher is 18 a future member of the teaching 19 profession. Do you see that? 20 A. Yeah. Yes. 21 Q. And it doesn't say anything 22 about the student teacher being a 23 current member of the profession; 24 correct? 25 A. Correct.</p>	<p>1 innovative teaching procedures. Do 2 you see that? 3 A. Yes. 4 Q. And do you agree with that 5 statement? 6 A. Yes. 7 Q. Turn to page 11. These are 8 the responsibilities of the 9 cooperating teacher. It says under 10 modeling assistance and observation 11 the last bullet. Only the MU student 12 teaching final evaluation is 13 submitted to the University 14 supervisor to be delivered to the 15 field services office and placed in 16 the student's permanent file. Is 17 that your understanding? 18 A. Where is this now? 19 Q. Last bullet under modeling. 20 A. Oh, okay. Yes. 21 Q. Okay. So the midterm 22 evaluation is not a permanent record 23 of the student; correct? 24 A. Correct. 25 Q. And therefore the midterm</p>
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<p>1      evaluation would not constitute some      2      sort of official probationary status      3      for the student; correct?</p> <p>4      ATTORNEY KRAMER:      5      Let me object. You can      6      ask the question, but let me      7      object.</p> <p>8      ATTORNEY VOIGT:      9      Okay.</p> <p>10     BY ATTORNEY VOIGT:      11     Q. Do you remember the question?      12     A. No.</p> <p>13     Q. Since the midterm evaluation      14     would not be part of the student's      15     permanent file, you would agree with      16     me that it is not a probationary      17     status in some official way at      18     Millersville; correct?</p> <p>19     A. Not official.</p> <p>20     Q. Turn to page 12. These are      21     the responsibilities of the      22     University supervisor. That would be      23     you in Ms. Snyder's case; correct?</p> <p>24     A. Correct.</p> <p>25     Q. And it says the University</p>	<p>1      A. Yes.</p> <p>2      Q. Turn to Plaintiff's Exhibit      3      Five. This is the supplement to the      4      guide for student teaching secondary      5      edition; correct?</p> <p>6      A. Correct.</p> <p>7      Q. Secondary education; correct?</p> <p>8      A. Correct.</p> <p>9      Q. Are you familiar with this      10     document?</p> <p>11     A. Yes.</p> <p>12     Q. And was this document in use      13     at the time that Stacy was a student      14     teacher?</p> <p>15     A. I have to check it here. Yes,      16     it was.</p> <p>17     Q. And you gave a copy of this to      18     Stacy?</p> <p>19     A. Yes.</p> <p>20     Q. Okay. Turn to page four.      21     This is a description of the CIRQL      22     project; is that correct?</p> <p>23     A. That's correct.</p> <p>24     Q. Okay. What does CIRQL stand      25     for?</p>
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<p>1      supervisor must communicate      2      frequently with the cooperating      3      teacher concerning the student      4      teacher's progress; correct?</p> <p>5      A. Correct.</p> <p>6      Q. And that would be your      7      responsibility to communicate with      8      Ms. Reinking; would that be correct?</p> <p>9      A. Yes.</p> <p>10     Q. And another responsibility      11     under the student teacher section,      12     bullet number two, would be for you      13     to encourage ongoing professional      14     dialogue between the student teacher      15     and the cooperating teacher; correct?</p> <p>16     A. Bullet two?</p> <p>17     Q. Under the student teacher      18     section.</p> <p>19     A. Encourage ongoing professional      20     dialogue with the cooperating      21     teacher, yes.</p> <p>22     Q. And that would be your      23     responsibility to facilitate a      24     dialogue between Ms. Snyder and Ms.      25     Reinking; correct?</p>	<p>1      A. That's a good question.      2      Collaborate, inquire, reflection and      3      questions about learning.</p> <p>4      Q. Okay. What is that? What      5      does that mean in layman's terms?</p> <p>6      A. Well, in layman's terms it      7      means that learning should be a      8      collaborative thing, and that it      9      should not be a traditional thing      10     where the teacher does all the      11     talking and the students just sit      12     there and write down notes. It means      13     that in the classroom, collaborative      14     learning would be a kind of thing      15     where you would do more group work,      16     you would do more having students      17     respond to situations that you give      18     them. As far as teacher preparation      19     is concerned, it would mean that we      20     collaborate with each other and we      21     try to learn from each other, and we      22     share the experiences that we've had      23     with each other in trying to become      24     good teachers.</p> <p>25     Q. So the CIRQL project would</p>
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1 have encouraged the student teacher  
 2 to bring in a wide variety of view  
 3 points and collaborative assistance  
 4 in preparing her lesson plans;  
 5 correct?  
 6 A. Yes.  
 7 Q. And did you teach the CIRQL  
 8 project to Stacy in some fashion?  
 9 A. No, she had that in her  
 10 teaching of English course.  
 11 Q. And who taught that to Stacy,  
 12 do you know?  
 13 A. McCullough (phonetic).  
 14 Q. McCullough Clark?  
 15 A. Yes.  
 16 Q. Would you agree with me that  
 17 in the CIRQL project lessons Stacy  
 18 would be taught to seek out input  
 19 from a variety of sources including a  
 20 supervisor at her cooperating school;  
 21 correct?  
 22 A. Correct.  
 23 Q. It was never taught to Stacy  
 24 --- are you familiar with what is  
 25 taught in the CIRQL project?

1 permission from the cooperating  
 2 teacher before they spoke to a  
 3 supervisor at the cooperating school;  
 4 correct?  
 5 A. Correct.  
 6 Q. Okay. The CIRQL project was  
 7 an important part of the student  
 8 teaching experience; correct?  
 9 A. Correct.  
 10 Q. How long would a student  
 11 teacher devote to the CIRQL project  
 12 during their student teaching seminar  
 13 --- semester?  
 14 A. You mean in class?  
 15 Q. In class --- let's start in  
 16 class then we'll go to out of class.  
 17 How long would they devote to the  
 18 project?  
 19 A. Well, the project would be one  
 20 unit. And so it might have been  
 21 something that would have gone for  
 22 three weeks, but usually somewhere  
 23 between two and four weeks.  
 24 Q. And that would be in-class  
 25 time; correct?

1 A. Yes.  
 2 Q. Okay. Have you talked to Ms.  
 3 McCullough Clark about what she  
 4 teaches in that project?  
 5 A. No, I haven't.  
 6 Q. So what's the basis of your  
 7 familiarity with the CIRQL project?  
 8 A. My basis is in having to  
 9 learn it to supervise student  
 10 teachers.  
 11 Q. So you attended some seminars  
 12 or something on the CIRQL project?  
 13 A. Yes. Several meetings.  
 14 Q. All right. And during your  
 15 experiences with the CIRQL project,  
 16 no one at Millersville instructed the  
 17 prospective student teachers that  
 18 they were not permitted to speak to  
 19 the supervisors in their cooperating  
 20 school; correct?  
 21 A. Correct.  
 22 Q. And during the CIRQL project  
 23 meeting that you attended, no one  
 24 instructed the prospective student  
 25 teachers that they had to obtain

1 A. Yes.  
 2 Q. And the student teacher would  
 3 have to devote out of class time to  
 4 it as well; correct?  
 5 A. A lot of time, yes.  
 6 Q. How much time out of class  
 7 would you say? Can you give me a  
 8 ball park figure on how long it would  
 9 take?  
 10 A. Maybe two hours out of class  
 11 for every hour in.  
 12 Q. Okay. So if a student was  
 13 teaching and working on the CIRQL  
 14 project for three weeks, then they  
 15 would have to spend approximately six  
 16 weeks, two hours a day, working on  
 17 the CIRQL project?  
 18 A. That might be stretching it a  
 19 little bit. You know, it depends on  
 20 the student because it depends on how  
 21 --- in the first place, it depends on  
 22 the content. And the students are  
 23 usually given the chance, and she was  
 24 to pick the content that she wanted  
 25 to teach, to develop the unit they're

1 on. But then from that point it  
 2 depends on how well-versed the  
 3 student is in the content. You know,  
 4 how much time it takes them to  
 5 prepare that, but also it then  
 6 depends on how much time they spend  
 7 trying to develop the  
 8 pre-teaching and post-teaching  
 9 aspects of the unit and of course the  
 10 assessment is a very important part  
 11 of the unit. Does the assessment fit  
 12 what was actually taught and so  
 13 forth. And so to work all the way  
 14 through that, I can't give you a  
 15 definite time, it depends on the  
 16 student.

17 Q. Okay. All right. Well, do  
 18 you know how much time Stacy spent on  
 19 it, the CIRQL project?

20 A. I don't know hour-wise but I  
 21 do know that by looking at a lot of  
 22 what she did, that she spent  
 23 considerable time.

24 Q. All right. Turn to page five  
 25 of Exhibit Plaintiff Five, page five.

1 order to get a grade on this document  
 2 would give you a written product,  
 3 which I understand would be the  
 4 proposed lesson plan; is that what  
 5 would happen?

6 A. Proposed unit. Unit, which  
 7 there would be a number of lesson  
 8 plans.

9 Q. Okay. And you would grade it;  
 10 correct?

11 A. Yes.

12 Q. How many of these CIRQL  
 13 projects have you graded over the  
 14 years?

15 A. Maybe ten. I'm not sure.

16 Q. And if I look at this thing  
 17 correctly, exemplary would be the  
 18 highest grade; correct?

19 A. Correct.

20 Q. And of the ten CIRQL projects  
 21 that you graded, I take it that not  
 22 all of them got exemplary?

23 A. Right. Correct.

24 Q. So only the best of the best  
 25 would get exemplary; correct?

1 Hold on a second. I'm sorry, page 12  
 2 of Plaintiff's Five. This is the  
 3 grading for the CIRQL project; is  
 4 that correct?

5 A. This is the grading for, as it  
 6 says at the top, shadowing teacher  
 7 interview prior assessment and  
 8 planning.

9 Q. Okay.

10 A. This has nothing to do with  
 11 the actual delivery of the lesson.  
 12 This is the score sheet for the unit  
 13 itself as written up, you know.

14 Q. All right. So this  
 15 cooperating teacher would give you  
 16 the lesson plan and you would  
 17 evaluate it; is that correct?

18 ATTORNEY KRAMER:  
 19 Let me just object.  
 20 Cooperating teacher ---.

21 ATTORNEY VOIGT:  
 22 No, I'm sorry. Let me  
 23 rephrase that.

24 BY ATTORNEY VOIGT:  
 25 Q. So the student teacher, in

1 A. Yes.

2 Q. All right. Turn to  
 3 Plaintiff's Exhibit One. You're on  
 4 number two. There we go. Do you  
 5 recognize this document?

6 A. I don't know. It seems  
 7 familiar but I ---.

8 Q. Is this something that the  
 9 cooperating school would generate?  
 10 If you don't know, just say you don't  
 11 ---.

12 A. I don't know.

13 Q. All right. Turn to  
 14 Plaintiff's 26. This is an  
 15 evaluation by Sue Fedderoff at  
 16 Lampeter-Strasburg High School. Do  
 17 you know Ms. Fedderoff?

18 A. No.

19 Q. Do you have any reason to  
 20 doubt her competence as a teacher?

21 A. No.

22 Q. Now, you never observed Stacy  
 23 at Lampeter-Strasburg High School  
 24 during her experiences there;  
 25 correct?

1 A. Correct.  
 2 Q. Did you review this evaluation  
 3 at the time you assumed Stacy's or  
 4 your role as Stacy's supervisor for  
 5 her student teaching experience?  
 6 A. Yes.  
 7 Q. Now, this --- are you familiar  
 8 with this evaluation form?  
 9 A. Yes. I've used it many times.  
 10 Q. All right. Now, the  
 11 evaluation to be completed by the  
 12 teacher in the middle of the page  
 13 has four numbers, but if you look  
 14 down, there's only three numbers on  
 15 the list of professional competencies  
 16 for the evaluator to circle; do you  
 17 see that?  
 18 A. Yes.  
 19 Q. All right. Is this a  
 20 Millersville form that Millersville  
 21 generates?  
 22 A. Yes.  
 23 Q. Do you know why Millersville  
 24 didn't put fours for the cooperating  
 25 or for the supervising teacher to

1 circle?  
 2 A. No.  
 3 Q. Even though there are no fours  
 4 printed on the form, Ms. Fedderoff  
 5 made some fours of her own and  
 6 circled them in some instances for  
 7 Stacy; correct?  
 8 A. Correct.  
 9 Q. And Stacy commented that ---  
 10 I'm sorry, Ms. Fedderoff commented  
 11 that Stacy was very professional; do  
 12 you see that? The next page.  
 13 A. Okay.  
 14 Q. The next page, in the middle  
 15 of the page, very professional?  
 16 A. Yes.  
 17 Q. Okay. And also staying on the  
 18 second page it indicates that Ms.  
 19 Snyder possesses the skills to make a  
 20 notable contribution to our  
 21 profession; do you see that?  
 22 A. Yes.  
 23 Q. All right. And it also says  
 24 that Ms. Snyder did a great job; is  
 25 that correct?

1 A. Yes.  
 2 Q. And you've never spoken with  
 3 Ms. Fedderoff; am I correct?  
 4 A. That is correct.  
 5 Q. Did you consider this  
 6 evaluation before denying Ms. Snyder  
 7 her teaching certificate?  
 8 ATTORNEY KRAMER:  
 9 I have an objection. I  
 10 think you used ---.  
 11 ATTORNEY VOIGT:  
 12 All right. Let me  
 13 phrase it in a passive voice.  
 14 BY ATTORNEY VOIGT:  
 15 Q. Did you consider this  
 16 evaluation before certain people at  
 17 Millersville University denied Stacy  
 18 her teaching certificate?  
 19 ATTORNEY KRAMER:  
 20 I'll object again.  
 21 Millersville does not issue  
 22 teaching certificates. The  
 23 Department of Education issues  
 24 them.  
 25 BY ATTORNEY VOIGT:

1 Q. Did you consider this  
 2 evaluation before setting in motion  
 3 the denial of Ms. Snyder's teaching  
 4 certificate?  
 5 A. Yes.  
 6 Q. Turn to Plaintiff's 27.  
 7 ATTORNEY KRAMER:  
 8 By the way, we're not  
 9 seeking authenticity of these  
 10 documents so ---.  
 11 ATTORNEY VOIGT:  
 12 Okay.  
 13 BY ATTORNEY VOIGT:  
 14 Q. This is an evaluation by Mr.  
 15 Weidman, Neil Weidman. Do you know  
 16 Mr. Weidman?  
 17 A. No.  
 18 Q. You have no reason to doubt  
 19 his competency as a teacher; do you?  
 20 A. No.  
 21 Q. And you never observed Stacy  
 22 at Garden Spot High School; correct?  
 23 A. Correct.  
 24 Q. Mr. Weidman rated Stacy with  
 25 almost all fours; do you see that?

	Page 50		Page 52
1	A. Yes.	1	professors involved in either the
2	Q. And Mr. Weidman called Stacy	2	teaching of English course as a
3	wonderfully competent; do you see	3	complimentary course that goes with
4	that?	4	it. I don't know exactly what the
5	A. Yes.	5	name of it is, but McDowell teaches
6	Q. And you have no reason to	6	the education part of it in
7	doubt his evaluative capacities;	7	compliment and then McCullough the
8	correct?	8	English part of it. And so I assume
9	A. Correct. It depends on what	9	that Doctor McDowell handed this out
10	you're evaluating, you know. What	10	during either her teaching of English
11	we're talking about here is apples	11	course or one of the education
12	and oranges. I mean, these things	12	courses that preceded her student
13	don't represent real teaching, more	13	teaching.
14	working with kids. And very seldom	14	Q. So you assume that Ms. Snyder
15	do these people get a chance to	15	received these General Guidelines
16	actually teach.	16	before the orientation where you
17	Q. So Mr. Weidman was not	17	first met Ms. Snyder; correct?
18	competent when he wrote these	18	A. Yes.
19	evaluations?	19	Q. Now, under the second bullet,
20	A. I'm sure he was very	20	it says, the student teachers are to
21	competent.	21	let the co-op, which I believe means
22	Q. And it also says on the first	22	cooperative teacher, know that you
23	page that Mr. Weidman rated Stacy as	23	are there to learn as much about
24	a welcome addition to a secondary	24	teaching as possible; correct?
25	faculty; do you see that?	25	A. Correct.
	Page 51		Page 53
1	A. Yes.	1	Q. And do you agree with that
2	Q. And you have no reason to	2	statement?
3	doubt his competency to make that	3	A. Yes.
4	prediction; correct?	4	Q. And farther down it says, in
5	A. Correct.	5	the same bullet paragraph, know what
6	Q. And did you consider Mr.	6	your role is in the classroom,
7	Weidman's evaluation before setting	7	remembering that above all you are a
8	in motion the denial of Stacy's	8	guest. Do you see that?
9	teaching certificate?	9	A. I see it.
10	A. Yes, I considered all of this.	10	Q. Take a look at the document
11	Q. Turn to Plaintiff's 28,	11	and just confirm for me that the
12	please. This is a document entitled	12	document does not reference anything
13	General Guidelines. Do you recognize	13	about a student teacher being an
14	this document?	14	employee of the cooperating school.
15	A. Yes.	15	A. What do you want me to
16	Q. What is it exactly?	16	confirm?
17	A. Well, it's steps to take as	17	Q. This document does not refer
18	you're preparing to student teach.	18	at any point to the student teacher
19	Q. Did you prepare this document?	19	being in some fashion an employee of
20	A. No.	20	the cooperating school; correct?
21	Q. Was this document given to	21	A. Correct.
22	Stacy at some time?	22	Q. And that document does not
23	A. Well, I think it was because	23	refer in any way to the student
24	Doctor McDowell's name's on it and	24	teacher being an apprentice at the
25	she would have been one of the	25	cooperating school; correct?

14 (Pages 50 to 53)

1 A. That word is not used.  
 2 Q. And this document does not  
 3 refer in any way to the student  
 4 teacher somehow losing their status  
 5 as a student at Millersville  
 6 University by virtue of participating  
 7 in a student teaching cooperative;  
 8 correct?  
 9 A. I'm sorry?  
 10 Q. This document does not refer  
 11 in any way to the student teacher  
 12 losing their status as a Millersville  
 13 University student while they are  
 14 serving as a student teacher;  
 15 correct?  
 16 A. Correct.  
 17 Q. Turn to Plaintiff's 30. This  
 18 is background information on Stacy.  
 19 Have you reviewed this document?  
 20 A. Yes, I have.  
 21 Q. When did you first review it?  
 22 A. Prior to meeting with the  
 23 student teachers, I was given a  
 24 packet with the information --- this  
 25 type of information as well as

1 Q. Well, were you aware that  
 2 Stacy was a single mother when you  
 3 assumed your role as Stacy's  
 4 supervisor for the student teaching  
 5 semester?  
 6 A. I'm not sure. I became aware  
 7 of it because she told me, but I'm  
 8 not sure when she told me.  
 9 Q. Do you know if Stacy told you  
 10 that she was a single mother at the  
 11 time of your first meeting?  
 12 A. I don't think she did because  
 13 we were there with two other people,  
 14 so we didn't get into, you know,  
 15 anything that personal.  
 16 Q. Now, turn to page two of that  
 17 same document. Now, this is a  
 18 section where the student teacher is  
 19 supposed to list her spouse's name;  
 20 correct?  
 21 A. Right.  
 22 Q. And you see that there's  
 23 nothing listed; correct?  
 24 A. Yeah, I see it.  
 25 Q. And did you review this ---

1 earlier experiences they had when  
 2 they went out during their teaching  
 3 course. And I was to keep these  
 4 during the semester and then give  
 5 them to the student teacher at the  
 6 end of the semester.  
 7 Q. So you reviewed this  
 8 background information of Stacy  
 9 before you even met her or during ---  
 10 or following the orientation;  
 11 correct?  
 12 A. Correct.  
 13 Q. So at the time that you  
 14 assumed your role as Stacy's  
 15 supervisor, you were aware that she  
 16 had two children; correct? Take a  
 17 look at the file again.  
 18 A. Yes. Yes.  
 19 Q. And at the time that you began  
 20 your supervising role of Stacy, you  
 21 were aware that she was a single  
 22 mother; correct?  
 23 A. Correct. Well, I'm aware of  
 24 what's there. I don't know if it  
 25 says single mother.

1 you said you reviewed this document  
 2 before you met with Stacy?  
 3 A. Yes.  
 4 Q. All right. Turn to  
 5 Plaintiff's Nine. This is the  
 6 meeting outline regarding the student  
 7 teaching seminar. Did you attend  
 8 this meeting?  
 9 A. Yes.  
 10 Q. It says, students pick-up  
 11 packet. What was in that?  
 12 A. That booklet --- well, there's  
 13 a list of them here, the calendar,  
 14 things about graduation. The main  
 15 thing that I was interested in was  
 16 the student teaching booklet which  
 17 was also available on the website.  
 18 But I had some copies of it, so I  
 19 think that I handed out the copies  
 20 that I had but they could also get it  
 21 on the website.  
 22 Q. All right. Now, are you  
 23 familiar with the packet contents,  
 24 the student teaching packet contents?  
 25 A. Yes.

1 Q. And you would agree with me  
 2 that nothing in the packet informs  
 3 the attendees that they were  
 4 employees of the cooperating school;  
 5 correct?  
 6 A. Correct.  
 7 Q. And you would agree with me  
 8 that nowhere in the student teaching  
 9 packet referred to in P-9 does  
 10 Millersville refer to the student  
 11 teachers as apprentices of the  
 12 cooperating school; correct?  
 13 A. Correct.  
 14 Q. How was the decision made that  
 15 you would be Stacy's supervisor?  
 16 A. It was made in the department.  
 17 I don't know, usually it's done to  
 18 try to make sure the supervisor has  
 19 certification in the area that he's  
 20 supervising. And also, to try to  
 21 make it convenient so you aren't  
 22 running from York County to wherever.  
 23 And I was extremely lucky this  
 24 semester because I have three student  
 25 teachers at Conestoga Valley. And

1 Q. And so it's your understanding  
 2 the Department of Education, if you  
 3 look at the top on page seven, it  
 4 says the student teacher is a guest  
 5 of the cooperating school; is that  
 6 what it says?  
 7 A. Yes.  
 8 Q. So it's your understanding  
 9 that this is a Department of  
 10 Education statement as to the student  
 11 teacher's status at the cooperating  
 12 school; correct?  
 13 A. Yes, if I'm right that this is  
 14 out of a 430.  
 15 Q. Okay. And later on page seven  
 16 or later on the summary which  
 17 indicates page seven --- you're on  
 18 the right page. It says, the student  
 19 teacher is recognized as a  
 20 representative of the University by  
 21 the student's faculty in the  
 22 community to which he or she is  
 23 assigned; do you see that?  
 24 A. Where is it?  
 25 Q. Right there.

1 I'm certified in English and Social  
 2 Studies, so it was a good match. I  
 3 guess that's how I met up with her.  
 4 Q. So all three of the students  
 5 that you supervised this semester,  
 6 which would have been the Spring of  
 7 2006, were student teachers at  
 8 Conestoga Valley; correct?  
 9 A. Yes. Two at the middle school  
 10 and then Stacy at the high school.  
 11 Q. Did the students at the middle  
 12 school eventually receive their  
 13 teaching certificates?  
 14 A. Yes.  
 15 Q. Turn to Plaintiff's 18. Do  
 16 you recognize this document?  
 17 A. Yes.  
 18 Q. What is it?  
 19 A. It's --- I think it's a guide  
 20 for student teaching that accompanies  
 21 the state 430 form. I think that's  
 22 what it is.  
 23 Q. So the Department of Education  
 24 issues this document; correct?  
 25 A. That's my understanding.

1 A. Okay. Yes, I see it.  
 2 Q. And it's your understanding  
 3 that this document represents the  
 4 Department of Education's view upon  
 5 that subject; correct?  
 6 ATTORNEY KRAMER:  
 7 Asked and answered. He  
 8 thought but he wasn't sure.  
 9 ATTORNEY VOIGT:  
 10 Well, if that's true,  
 11 then he can tell me.  
 12 A. I think so.  
 13 BY ATTORNEY VOIGT:  
 14 Q. And do you agree with that  
 15 statement that the student teacher is  
 16 a representative of the University?  
 17 A. I think they're recognized as  
 18 such, yes, by their facilities.  
 19 Q. And it looks like the third  
 20 paragraph down under the same section  
 21 which refers to page seven, it says,  
 22 the student teacher must adhere to  
 23 the MU student code of conduct  
 24 throughout his field experience. Do  
 25 you see that?

1 A. Uh-huh (yes).  
 2 Q. Is that a yes?  
 3 A. Yes.  
 4 Q. Do you agree with that  
     statement?  
 5 A. Yes.  
 6 Q. And this document does not in  
     any way refer to the code of conduct  
     at the cooperating school; correct?  
 7 A. Correct.  
 8 Q. Now, we've already established  
     that Stacy's cooperating teacher at  
     Conestoga Valley was Nicole Reinking;  
 9 right?  
 10 A. That's correct.  
 11 Q. And before Stacy began her  
     student teaching assignment, did you  
     ever observe Ms. Reinking teach her  
 12 class?  
 13 A. No.  
 14 Q. Why not?  
 15 A. I had no reason to. I  
     observed her a great deal, you know,  
     after that because when I was in  
 16 talking to Stacy prior to her  
 17

1 class so that I could talk to Stacy.  
 2 I didn't want to pull her away from  
 3 --- because I thought she might be  
 4 teaching that class. I would say 20  
 5 minutes.  
 6 Q. I'm talking about before Stacy  
 7 began in that class.  
 8 A. Before she started to teach.  
 9 You don't go in and start teaching  
 10 the first day you walk in.  
 11 Q. Before Stacy was even in the  
 12 class ---  
 13 A. Yes.  
 14 Q. --- did you ever observe Ms.  
 15 Reinking?  
 16 A. No.  
 17 Q. That was my question. Were  
 18 you aware during the spring semester  
 19 of 2006 that Stacy was Ms. Reinking's  
 20 first student teacher?  
 21 A. Yes.  
 22 Q. Did you find that significant?  
 23 A. Yes. As a supervisor, I found  
 24 that significant because I always try  
 25 to do my level best to help people

1 starting to teach, I sat in on a  
 2 couple of her classes as well.  
 3 Q. So you observed Ms. Reinking  
 4 during --- strike that.  
 5 You observed Ms. Reinking  
 6 teach the class that Stacy eventually  
 7 served in before Stacy started there;  
 8 correct?  
 9 A. Well, not a whole class  
 10 period, you know. I was in and out  
 11 and I was there long enough to get  
 12 the general ---.  
 13 Q. How long did you observe Ms.  
 14 Reinking before --- or during that  
 15 time that --- strike that.  
 16 How long did you observe Ms.  
 17 Reinking teach her class during that  
 18 visit that you were describing prior  
 19 to Stacy's serving in the classroom?  
 20 A. You mean in minutes?  
 21 Q. Yes.  
 22 A. Well, I recall on one occasion  
 23 I went in to talk to Stacy and Mrs.  
 24 Reinking was teaching, so I just  
 25 stuck around until the end of the

1 who are first-time cooperating  
 2 teachers, to spend more time there,  
 3 to talk to them more.  
 4 Q. Did you meet with Ms. Reinking  
 5 prior to the start of Stacy's service  
 6 as a student teacher?  
 7 A. Yes.  
 8 Q. When was that?  
 9 A. I think it was actually the  
 10 first day of student teaching because  
 11 Stacy was there also, so the three of  
 12 us talked. And then I had a private  
 13 conversation with Mrs. Reinking.  
 14 Q. So you did not meet with Ms.  
 15 Reinking before Stacy's first day  
 16 there?  
 17 A. I don't recall. I may have.  
 18 I don't recall.  
 19 Q. So if I'm correct, the first  
 20 day of Stacy's student teaching  
 21 assignment would have also been the  
 22 first time that you met Ms. Reinking;  
 23 correct?  
 24 A. I think so.  
 25 Q. And you said you only spoke to

1       **Ms. Reinking after Stacy had already**  
 2       **sat through a class period; is that**  
 3       **what you were telling me?**  
 4       A. What?  
 5       Q. Let me get the time frame  
 6       correct. You and Stacy, I guess  
 7       together, went to Ms. Reinking's  
 8       class on that first day of Stacy's  
 9       student teaching; is that correct?  
 10      A. She was there, I dropped in.  
 11      Q. So Stacy was already there?  
 12      A. Yeah. To back up a little  
 13      bit, I probably wasn't aware at that  
 14      time that Mrs. Reinking was a first-  
 15      timer. That's probably when I got  
 16      the information during that first  
 17      meeting.  
 18      Q. Wouldn't it have been  
 19      important for you to know that Ms.  
 20      Reinking had never supervised a  
 21      student teacher before that first  
 22      day?  
 23      A. That would have been helpful.  
 24      Q. What do you do differently  
 25      when you have a first-timer?

1       A. Well, I go over what's in the  
 2       handbook with them to make sure they  
 3       understand the expectations. I take  
 4       a --- I make sure that they know how  
 5       to avail themselves of everything  
 6       that Millersville has to help them,  
 7       including a videotape which they can  
 8       get from Millersville to look at.  
 9       And generally, just try to review  
 10      with them the whole booklet,  
 11      handbook, to make sure that we're on  
 12      the same page.  
 13      And I always make sure as  
 14      experienced co-ops know, what we need  
 15      to stay in touch, and particularly,  
 16      at the mid time in the semester. And  
 17      as you said, that mid evaluation is  
 18      not official. But the purpose of it  
 19      is so that the student teacher who  
 20      does their own, the co-op who does  
 21      her or his and the supervisor, just  
 22      compare notes. And you know, I  
 23      always stress that to the people that  
 24      are first-timers that, you know,  
 25      there is where we really want to make

1       sure that we're on the same page as  
 2       far as evaluating the student teacher  
 3       is concerned.  
 4       Q. Again, walk me through this  
 5       first time that you met Ms. Reinking.  
 6       I take it it was during the class  
 7       period, Stacy was already sitting in  
 8       the class?  
 9       A. No, no. Stacy was in for a  
 10      visit --- I don't know if it was her  
 11      first visit with the co-op or not.  
 12      They were supposed to go in the week  
 13      before, which I assume she did. But  
 14      I think it was the first day of  
 15      student teaching and I sat down with  
 16      both of them. And then I talked with  
 17      Mrs. Reinking privately after Stacy  
 18      and I talked. That had nothing to do  
 19      with that other thing we were talking  
 20      about where I sat in on a class. I  
 21      mean, you asked me if I saw Reinking  
 22      teach, and I did. But that was later  
 23      on when I went in there one day to  
 24      talk to Stacy about something else.  
 25      Q. Do you remember the date of

1       this meeting which would have been  
 2       Stacy's first time in the class and  
 3       your first visit with Ms. Reinking?  
 4       A. No.  
 5       Q. Was it sometime in February of  
 6       '06; would that have been about  
 7       right?  
 8       A. Whenever student teaching  
 9       started, I don't recall. But that  
 10      sounds about right. I mean, usually  
 11      the semester starts the last week in  
 12      January and they show up at the  
 13      schools usually the first week in  
 14      February. So that would be in that  
 15      ballpark.  
 16      Q. How long was your meeting with  
 17      Ms. Reinking and Stacy that first  
 18      day?  
 19      A. Together I would say that we  
 20      talked for maybe 15, 20 minutes and  
 21      then --- I don't know how long I  
 22      talked to --- probably I talked to  
 23      Mrs. Reinking for about the same  
 24      amount of time. I'm not sure. I  
 25      don't recall exactly.

<p>1 Q. What did you discuss when you 2 were alone with Mrs. Reinking that 3 first day?</p> <p>4 A. The booklet, basically, the 5 handbook and understanding the 6 schedule and what things Stacy was 7 responsible for.</p> <p>8 Q. What, if anything, did Mrs. 9 Reinking say during that time that 10 you recall?</p> <p>11 A. I don't recall. She seemed to 12 understand everything I went over 13 with her.</p> <p>14 Q. Was that the first time that 15 Mrs. Reinking had reviewed --- strike 16 that.</p> <p>17 When you say the booklet, what 18 booklet are you ---?</p> <p>19 A. The handbook, the Millersville 20 handbook.</p> <p>21 Q. That would be Exhibit Number 22 Four.</p> <p>23 A. Yeah.</p> <p>24 Q. Was it your understanding that 25 that was the first time that Mrs.</p>	<p>1 first observation of Stacy in the 2 classroom?</p> <p>3 A. I think so.</p> <p>4 Q. How long was your evaluation?</p> <p>5 ATTORNEY KRAMER: 6 You mean from the time 7 that he sat in, how long ---? 8 BY ATTORNEY VOIGT: 9 Q. Yeah. How long were you in 10 the room to prepare this?</p> <p>11 A. The entire class, which is 12 about close to 90 minutes. That's 13 what block scheduling is.</p> <p>14 Q. Are these your notes in the 15 margins and on the bottom?</p> <p>16 A. On the bottom are mine, yes.</p> <p>Q. What about on the sides?</p> <p>A. They're not mine.</p> <p>Q. Do you recognize the handwriting?</p> <p>A. No.</p> <p>Q. So it was your writing when you said conference, dash, good discussion?</p> <p>A. Uh-huh (yes.)</p>
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<p>1 Reinking had seen this handbook?</p> <p>2 A. No. No, that stuff had all 3 been mailed out to her previously, so 4 she was well aware of what was in the 5 handbook.</p> <p>6 Q. Did she indicate that she had 7 reviewed the handbook?</p> <p>8 A. Yes.</p> <p>9 Q. How did the meeting end?</p> <p>10 A. I guess it ended with me 11 saying, you know, I would be coming 12 in to do my observations and also I'd 13 be dropping in on occasion between 14 just to see how things were going, 15 touch base.</p> <p>16 Q. Turn to Plaintiff's 44. This 17 might be a good time to take a short 18 break.</p> <p>19 SHORT BREAK TAKEN</p> <p>20 BY ATTORNEY VOIGT:</p> <p>21 Q. Now, we are on Plaintiff's 44. 22 Now, this is your handwriting; 23 correct, at the bottom?</p> <p>24 A. Yeah.</p> <p>25 Q. This would have been your</p>	<p>1 Q. Is that a yes?</p> <p>2 A. Yes.</p> <p>3 Q. What did you mean by that?</p> <p>4 A. Give and take, question and 5 answer.</p> <p>6 Q. Okay. Did you share these 7 notes with Stacy in a meeting of some 8 sort?</p> <p>9 A. Yes. Every observation was 10 followed, either the same day or the 11 following day depending on schedules. 12 And we often spent anywhere from ten 13 minutes to a half hour, usually a 14 half hour talking about the lesson 15 and my suggestions. And as I say 16 here, classroom management, follow 17 through on the management plan. 18 Perhaps start this class with a 19 sponge.</p> <p>Q. What does that mean?</p> <p>A. Well, a sponge is something 21 that soaks up some time while you're 22 getting organized to teach the class. 23 And if you don't have something to 24 have the students work on, they'll be</p>
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1 climbing the walls and you know,  
 2 getting out of line. Then you have  
 3 to settle them down to start to  
 4 teach. But if you go in there with  
 5 something for them to work on until  
 6 you get your act together and get  
 7 everything set up, then they're ready  
 8 to start the class.  
**Q. Just describe the meeting that**  
**you had with Stacy over, during which**  
**you discussed this initial visit?**  
 A. Well, here, reminder teacher  
 observations. Stacy was aware that  
 she was supposed to do these  
 Millersville obligations before she  
 started to teach. But she talked  
 Reinking into letting her start  
 before she had some of these things  
 done.  
 So as you look through, you'll  
 find me reminding her that she hasn't  
 completed the shadowing, the teacher  
 observations and so forth. So do  
 teacher observations, you haven't  
 finished those yet. Shadowing she

1 hadn't done, and she hadn't  
 2 interviewed her cooperating teacher  
 3 yet. And so that's what that's all  
 4 about.  
 Now, the conference itself, I  
 talked a lot about classroom  
 management. I talked about the idea  
 that you must establish a strong  
 classroom management routine, so that  
 the students know the expectations.  
 And I also emphasize with her that if  
 you set up classroom management rules  
 with consequences, that when  
 something happens, do the  
 consequence. Because if you don't  
 you're going to be lost. All you  
 have to do is find --- what I mean by  
 consequence is maybe detention or  
 whatever is in the classroom rules.  
 But ---.  
**Q. How did Stacy respond to your**  
**comments during the meeting?**  
 A. She seemed to understand what  
 I was talking about, and said that  
 she would try to work on her

1 classroom management.  
**Q. Turn to page two of the same**  
**exhibit. This is your signature**  
**dated March 1 of 2006; correct?**  
 A. That is correct.  
**Q. How long did you observe Stacy**  
**this time?**  
 A. Ninety minutes.  
**Q. Now, you say at the end --- or**  
**the beginning of the second**  
**paragraph, the lesson looked good on**  
**paper, paren, lesson plan, close**  
**paren, but it suffered in the**  
**delivery. What did you mean by that?**  
 A. Exactly what it says. I mean,  
 she seemed to be able to write down  
 what a good lesson would look like,  
 but when it came around to delivering  
 it, it seemed to just fall apart.  
 Basically because she didn't follow  
 her own lesson plan and, you know,  
 was unable to get it off the ground,  
 unable to deliver the lesson. Part  
 of that had to do with the lack of  
 classroom control, and so part of it

1 had to do with, not so much her lack  
 2 of preparation, I don't think, as her  
 3 lack of knowledge. Now, you know,  
 4 that's another ---.  
**Q. When you say lack of**  
**knowledge, what do you mean?**  
 A. Proficiency in the content  
 matter.  
**Q. What do you mean by that?**  
**Stacy didn't know the subject matter**  
**she was teaching; is that what you're**  
**saying?**  
 A. Yes.  
**Q. Did you share these notes with**  
**Stacy?**  
 A. Yes.  
**Q. And that was your a.m. meeting**  
**after the class; right?**  
 A. Yes.  
**Q. Describe that meeting, please.**  
 A. This was a long meeting, and I  
 went over a lot that is covered here.  
 But I guess I talked about the proper  
 planning. I commented on some of the  
 things she put up on the overhead,

1 the students couldn't read them  
 2 because they weren't large enough. I  
 3 commented about her --- kind of this  
 4 introduction that they did every day  
 5 in class that she really didn't  
 6 explain why the answers were the  
 7 answers, but just jumped onto the  
 8 next thing.  
 9 I talked to her about  
 10 monitoring behaviors as you see down  
 11 there with positive and negative  
 12 reinforcement. The lulls that were  
 13 in the class gave the kids a chance  
 14 to get out of hand. Content  
 15 mistakes, got some of the smarter  
 16 kids into a smart alecky approach to  
 17 try to make a fool out of her.  
 18 I talked to her about her  
 19 lesson plans should maybe be done a  
 20 couple days ahead. The lesson plans  
 21 were to be shown to the co-op one day  
 22 ahead, but I suggested it should be  
 23 more than that, so that they could be  
 24 reviewed. I talked about the  
 25 worksheet. When she handed it out

1 all kinds of hands went up; obviously  
 2 they didn't understand.  
 3 Q. How did Stacy --- I'm sorry,  
 4 were you done?  
 5 A. Well, one other thing that I  
 6 emphasized as I recall was processing  
 7 content.  
 8 Q. What does that mean?  
 9 A. What it means is content just  
 10 isn't words that the kids copy down  
 11 and memorize. You have to go into  
 12 the meaning. You have to dig the  
 13 hole related to something they know  
 14 something about so that they --- some  
 15 level of understanding takes place  
 16 there. So there was a lot there.  
 17 Q. How did Stacy respond to your  
 18 comments?  
 19 A. She seemed to respond  
 20 positively, and it seemed to me that,  
 21 you know, the realization was setting  
 22 in on her that she had some problems  
 23 and she had to make some changes.  
 24 Q. Did you speak to Ms. Reinking  
 25 after this, after preparing this

1 March 1, '06 note?  
 2 A. Yes.  
 3 Q. When did you do that?  
 4 A. I'm not sure. I always talk  
 5 to her every time I was in there.  
 6 Q. What did you say following the  
 7 March 1, '06 visit; do you remember?  
 8 A. Well, let's see, I'm trying to  
 9 get these observations into sync  
 10 here. I talked to her about the  
 11 possibility maybe of changing Stacy's  
 12 schedules somewhat. And I said maybe  
 13 we just need to pull her and let her  
 14 start with a new class and see if  
 15 she's really understanding what I'm  
 16 trying to get across to her. And  
 17 give her some time to catch up on  
 18 these Millersville things.  
 19 And at one stage of the game  
 20 there, I offered just to pull Stacy.  
 21 I said, you know, if you think she's  
 22 damaging to your students, if she's  
 23 not doing the job and they're not  
 24 learning anything, I'll just pull  
 25 her. And she said she didn't want to

1 do that, you know. She said she felt  
 2 that she could work with her.  
 3 Q. When was that conversation?  
 4 A. I don't know. It's probably  
 5 after this lesson, because this  
 6 lesson was --- it would have been  
 7 sometime after this lesson.  
 8 Q. Okay. Well ---.  
 9 A. This was a first. It would  
 10 have been --- there's a couple that  
 11 aren't in here.  
 12 Q. Would you produce those for  
 13 me?  
 14 ATTORNEY KRAMER:  
 15 Yeah, I can get them.  
 16 BY ATTORNEY VOIGT:  
 17 Q. All right. We'll get to those  
 18 then.  
 19 A. 4/7, but there's two  
 20 observations on 4/6 that aren't in  
 21 there.  
 22 Q. We'll get to those.  
 23 A. All right.  
 24 Q. What, if anything, did Ms.  
 25 Reinking do, to your knowledge, in

1 response to the problems that you  
 2 were discussing as of March 1, 2006?  
 3 A. Well, she had a lot of time to  
 4 sit down with, you know, with Ms.  
 5 Snyder and she did some observations  
 6 of Ms. Snyder on her own, and you  
 7 know, wrote up lessons and went over  
 8 it with her. And as I recall, they  
 9 were pretty detailed.  
 10 And I'm not sure how many  
 11 written ones she did, but I mean  
 12 there was several. Every day she  
 13 would have talked to her about those,  
 14 the lesson and ---.  
 15 Q. Did you attend any of those  
 16 meetings between Ms. Snyder and Ms.  
 17 Reinking where they were discussing  
 18 future lesson plans?  
 19 A. Well, the three of us  
 20 discussed future lesson plans, but I  
 21 mean I didn't attend any of their  
 22 private meetings because they were  
 23 private. There's a connection  
 24 between the cooperating teacher --- a  
 25 bond between a cooperating teacher

1 and the student teacher that I think  
 2 both of them feel that to some extent  
 3 they can solve their problems without  
 4 running to the boogeyman.  
 5 Q. Is that the way you talk to  
 6 yourself? You've thought of yourself  
 7 as the boogeyman; is that ---?  
 8 A. You know, as the supervisor,  
 9 you know, like if you can't handle  
 10 your problems you go and ---.  
 11 Q. So when you say that there  
 12 should be a bond between the  
 13 cooperating teacher and the student  
 14 teacher, you would refer to that bond  
 15 as a two-way street; right? The  
 16 student teacher and the cooperating  
 17 teacher must have a give and take; is  
 18 that correct?  
 19 A. Yes.  
 20 Q. Okay. Turn to page three.  
 21 The notes that you prepared ---.  
 22 A. Page three?  
 23 Q. P-44, page three.  
 24 A. Okay. I'm with you.  
 25 Q. Yes. The March 9 note, and I

1 take it that's your signature at the  
 2 bottom; right?  
 3 A. Yes, it is.  
 4 Q. All right. And you say here  
 5 she researched the topic and prepared  
 6 an excellent handout; do you see  
 7 that?  
 8 A. Yes.  
 9 Q. And you agree with that  
 10 statement?  
 11 A. Yes.  
 12 Q. And you say here that Stacy  
 13 was confident about her content and  
 14 her approach; do you agree with that?  
 15 A. Yes.  
 16 Q. All right. And you go on to  
 17 say that Stacy responded quickly to  
 18 discipline situations; is that right?  
 19 A. That's correct.  
 20 Q. And you complimented Stacy for  
 21 the use of music, familiar music  
 22 examples; do you see that?  
 23 A. Yes.  
 24 Q. So you thought that Stacy's  
 25 use of music was appropriate at that

1 time; is that correct?  
 2 A. Yes.  
 3 Q. And did you speak to Stacy  
 4 after this evaluation?  
 5 A. Yes.  
 6 Q. How did that evaluation ---  
 7 how did that conference go?  
 8 A. It went very well. What's  
 9 missing here is the two observations  
 10 I did on --- well, wait a minute.  
 11 That's not right, 4/6.  
 12 Q. Well, we'll get to those.  
 13 Let's focus on March 9th.  
 14 A. As I recall, this was the new  
 15 class, you know, the class she hadn't  
 16 had before. And so I had the  
 17 impression that she had gotten the  
 18 message and that she was getting off  
 19 on the right foot with the new class.  
 20 And so I had the conference went very  
 21 well.  
 22 Q. All right. Turn to  
 23 Plaintiff's 42, please. This is an  
 24 evaluation by an unnamed student at  
 25 Conestoga Valley High School.

1 Parent's (sic) 42, page one.  
 2 A. Yeah, I got it.  
 3 Q. The name is blacked out all  
 4 except for the letter B. You don't  
 5 happen to recognize this student with  
 6 his handwriting?  
 7 A. No.  
 8 Q. Have you ever seen this  
 9 document before?  
 10 A. Not that I recall.  
 11 Q. Well, under question eight  
 12 there at the bottom there. It says  
 13 least favorite teacher, Mrs.  
 14 Reinking, because we don't get along.  
 15 Did you ever review this document  
 16 before denying Stacy her Bachelor of  
 17 Science in Education degree?  
 18 ATTORNEY KRAMER:  
 19 Objection. He's never  
 20 seen the document before and  
 21 he didn't deny her her  
 22 Bachelor of Science degree. I  
 23 don't know how he can answer  
 24 this because he's never before  
 25 ---.

1 ATTORNEY VOIGT:  
 2 Well, if he's never  
 3 seen it before, then the  
 4 answer will be self-evident.  
 5 BY ATTORNEY VOIGT:  
 6 Q. Did you ever review this  
 7 document before the events of May  
 8 2006?  
 9 A. No.  
 10 Q. Would it have been useful to  
 11 know that at least one of the  
 12 students in Ms. Reinking's class  
 13 thought that she was his or her least  
 14 favorite teacher?  
 15 A. Not --- no, not at all.  
 16 Q. Why not?  
 17 A. Well, if you're standing in  
 18 front of 150 students, how would you  
 19 like to be evaluated based on what  
 20 one had to say about you?  
 21 Q. So the individual students  
 22 don't matter, their views and such?  
 23 Is that what you're saying?  
 24 A. They matter, but this is not a  
 25 survey. It's one student out of 90

1 or so that she taught. If I saw 10  
 2 or 12 to compare that would --- add  
 3 some significance there.  
 4 Q. Turn to page four of the same  
 5 document. This is an evaluation by  
 6 another student in 12th grade at ---  
 7 they're not numbered.  
 8 A. Okay. I'm with you now.  
 9 Q. This is an evaluation by  
 10 another student at the Conestoga  
 11 Valley High School; correct?  
 12 A. Uh-huh (yes).  
 13 Q. Is that a yes?  
 14 A. Yes.  
 15 Q. Okay.  
 16 A. If you say it is, yes.  
 17 Q. All right. Well, it says  
 18 Conestoga Valley High School in  
 19 question two; correct?  
 20 A. Correct.  
 21 Q. Okay. Now, look under  
 22 question eight then.  
 23 A. Yes.  
 24 Q. It says who are your favorite  
 25 teachers, be honest. And the answer

1 lists four teachers. Mrs. Reinking  
 2 is not one of them; correct?  
 3 A. That's correct.  
 4 Q. How many students would a 12th  
 5 grader at Conestoga Valley High  
 6 School --- strike that.  
 7 How many teachers would a  
 8 student at Conestoga Valley High  
 9 School have during his 12th grade  
 10 year?  
 11 A. Eight or ten. With the block  
 12 they would have fewer than they would  
 13 have if they had the old-style ---.  
 14 Q. Okay. So we can assume that  
 15 Mrs. Reinking was not among the  
 16 student's top four out of the eight  
 17 or ten that year she had that year;  
 18 correct?  
 19 ATTORNEY KRAMER:  
 20 I'll object. The  
 21 document speaks for itself.  
 22 The profession speaks for  
 23 itself.  
 24 BY ATTORNEY VOIGT:  
 25 Q. Would you have wanted to see

1       this document before the events of  
 2       May 2006?  
 3       A. No. If I had these documents  
 4       from a proper sampling, the answer  
 5       would be yes.  
 6       Q. Turn to Plaintiff's 45,  
 7       please, page one. This is your mid-  
 8       evaluation; is that correct?  
 9       A. Yes, using the Millersville  
 10      form.  
 11      Q. Yes. And it's dated March 17  
 12      of 2006 on the third page of the  
 13      exhibit, so you prepared it about  
 14      that time?  
 15      A. Yes.  
 16      Q. Other than the visits that we  
 17      discussed, prior to preparing this  
 18      mid-evaluation, you did not observe  
 19      Ms. Snyder during class any other  
 20      times; is that right? We discussed  
 21      certain visits that you made. There  
 22      are no other visits that you made;  
 23      are there?  
 24      A. Yes. My official evaluations  
 25      --- I had to do six official ones,

1       which I sat in for the whole 90  
 2       minutes. Now, instead of doing six,  
 3       I did seven. But I have a way of  
 4       just dropping in from time to time  
 5       and not writing anything down, just  
 6       sitting in for ten minutes or so to  
 7       see how things are going and then be  
 8       on my merry way. So I did that on a  
 9       number of occasions.  
 10      Q. Do you remember the dates of  
 11      those ---?  
 12      A. Yes, I have that if you would  
 13      like. I could find it out for you.  
 14      I have them someplace.  
 15      Q. Did you keep any personal  
 16      notes from those visits?  
 17      A. No, I didn't. Let's see ---  
 18      visits.  
 19      Q. Did you speak to Stacy  
 20      following those visits?  
 21      A. Usually. It depended, you  
 22      know. If she was in the middle of a  
 23      class and I had to go to the middle  
 24      school, then I wouldn't. But usually  
 25      I did.

1       Q. Okay. Did you speak to Ms.  
 2       Reinking following those visits?  
 3       A. Sometimes.  
 4       Q. All right.  
 5       A. Depended on whether she was  
 6       available.  
 7       Q. Okay. Now, turning back to  
 8       Plaintiff's 45.  
 9       A. Yes.  
 10      Q. Under professionalism, first  
 11      one, adheres to the Pennsylvania  
 12      Professional Code of Ethics copyright  
 13      and privacy laws, you graded her G,  
 14      good progress evidence; is that  
 15      correct?  
 16      A. That's correct.  
 17      Q. And that was accurate as of  
 18      the time that you wrote this; is that  
 19      correct?  
 20      A. Yes. I felt that was proper.  
 21      ATTORNEY KRAMER:  
 22      The authenticity of  
 23      this document ---.  
 24      BY ATTORNEY VOIGT:  
 25      Q. And also on page one of

1       Parent's (sic) 45, you had an N,  
 2       needs significant remediation for  
 3       demonstrates in-depth understanding  
 4       of the subject matter; do you see  
 5       that?  
 6       A. Yes.  
 7       Q. What did you mean by that?  
 8       A. I meant that she made a lot of  
 9       mistakes in class. Grammatical  
 10      mistakes, content mistakes. I'm  
 11      certified in English and my long suit  
 12      is literature. And you know, I not  
 13      only detected mistakes in grammar,  
 14      but also mistakes in interpretation  
 15      and mistakes in content, having to do  
 16      with literature.  
 17      And I mean, I talked to her  
 18      many times about these things. I  
 19      mean, I tried to lead her by the hand  
 20      and say, look, this is something you  
 21      need to do better. You need to do  
 22      more prep just for that part of your  
 23      lesson.  
 24      Q. All right. Did you take any  
 25      steps to help Stacy in that regard,

<p style="text-align: right;">Page 94</p> <p>1   <b>such as organizing and mentoring</b>      2   <b>program for her?</b></p> <p>3   A. Well, I felt I was a mentor in      4   the program.</p> <p>5   <b>Q. Okay.</b></p> <p>6   A. I did my best to try to help      7   her see not only the aspect of a      8   lesson having to do with keeping on      9   schedule and maintaining discipline,      10   but also in the proper content.</p> <p>11   <b>Q. All right. Did you arrange to</b>      12   <b>meet with Stacy on a periodic basis</b>      13   <b>where you would review the content of</b>      14   <b>her proposed lesson plans?</b></p> <p>15   A. Every time I met with her      16   after the observations ---</p> <p>17   <b>Q. Okay.</b></p> <p>18   A. --- we did this, and I also      19   reviewed her CIRQL unit on a number      20   of occasions.</p> <p>21   <b>Q. All right. Turn to page two</b>      22   <b>of Plaintiff's 45. You gave Stacy</b>      23   <b>N's on communication and classroom</b>      24   <b>management; is that right?</b></p> <p>25   A. Yes.</p>	<p style="text-align: right;">Page 96</p> <p>1   of these observation right outside, I      2   describe one of the classes as a      3   disaster because it was as I      4   mentioned earlier, lulls in the      5   lesson where she is going from one      6   activity to the other, and the kids      7   were way out of line. And then she      8   couldn't get them back under control.</p> <p>9   She got to the point where the      10   kids were playing with her, as she      11   had put up an overhead and some kid      12   would put his foot over and move the      13   projector so that, you know, things      14   would get ---. Things like that that      15   she either ignored or didn't notice.</p> <p>16   And I was saying you've got to      17   have eyes in the back of your head.      18   I mean, you have to know what's going      19   on in that classroom and not let it      20   go by. And that's what I was talking      21   about.</p> <p>22   <b>Q. You've never observed this</b>      23   <b>class where these problems were</b>      24   <b>before Ms. Snyder became the student</b>      25   <b>teacher; correct?</b></p>
<p style="text-align: right;">Page 95</p> <p>1   <b>Q. What was the basis for that?</b></p> <p>2   A. Well, speaking of      3   communication, many times her lessons      4   fell apart because she didn't clearly      5   communicate to the students what her      6   expectations were. Part of that had      7   to do also with, you know,      8   grammatical errors and so forth.</p> <p>9   But basically what I was      10   zeroing in on was that her      11   instructions, her communicating with      12   the class, not only in terms of      13   setting up, say, an activity and just      14   exactly what is supposed to happen      15   there, but also just in terms of her      16   style of questioning, which wasn't      17   deep. You know, she never asked      18   questions that would really get the      19   kids to think. It was more a rote-      20   type thing which she just might get      21   it over with and move on to the next      22   point.</p> <p>23   And as far as the one on      24   classroom management, I think in one      25   of these lesson plans at her --- one</p>	<p style="text-align: right;">Page 97</p> <p>1   A. You mean the same kids?</p> <p>2   <b>Q. Same kids, yeah. You never</b>      3   <b>seen those kids before Ms. Snyder</b>      4   <b>began her student teaching; correct?</b></p> <p>5   A. Correct.</p> <p>6   <b>Q. So you don't know if they were</b>      7   <b>discipline problems or angels before</b>      8   <b>Ms. Snyder came along; correct?</b></p> <p>9   A. Well, no, but the class that      10   I'm referring to, there were --- you      11   know, there are two levels that are      12   at CVD. Let me see if I can remember      13   what they are. One's basically the      14   academic, college-bound kids and the      15   other one are the technical. And      16   this was an academic class, so ---.</p> <p>17   <b>Q. So your position is that</b>      18   <b>academic students never cut up in</b>      19   <b>class?</b></p> <p>20   A. No. My position is that I      21   doubt whether there were any real bad      22   actors in there, but if you have a      23   discipline problem, it might be even      24   worse with these kinds of kids      25   because they're smart enough to think</p>

25 (Pages 94 to 97)

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1 of more ways to give you a hard time.  
 2 And in some cases, might know more of  
 3 the content than you do. And so, you  
 4 know, that all has to be taken into  
 5 consideration.

6 Q. Did Ms. Reinking teach these  
 7 same students during the fall  
 8 semester of 2005?

9 A. Yes.

10 Q. Would it not have been Ms.  
 11 Reinking's responsibility to teach  
 12 those students discipline during the  
 13 fall semester of 2005, even before  
 14 Ms. Snyder began her student  
 15 teaching?

16 A. Well, discipline for her own  
 17 teaching. But I mean, when you have  
 18 a student teacher, they have to  
 19 establish their own discipline, their  
 20 own management plan.

21 Q. Well, that wasn't the  
 22 question. My question was wouldn't  
 23 it have been Ms. Reinking's  
 24 responsibility to teach her class  
 25 discipline?

1 Q. You rated Ms. Snyder superior  
 2 in professionalism?

3 A. Yes.

4 Q. And you said that she usually  
 5 and extensively conducts herself in a  
 6 very professional manner; is that  
 7 correct?

8 A. That is correct.

9 Q. You didn't see any problems  
 10 with her professionalism at that  
 11 point; correct?

12 A. Well, I would have given her  
 13 the exemplary if I saw no problems,  
 14 but I didn't see anything unusual for  
 15 a student teacher.

16 Q. And you discussed your mid-  
 17 evaluation with Ms. Snyder?

18 A. Yes.

19 Q. When was that?

20 A. It was the same day that we  
 21 discussed the Millersville one,  
 22 whatever day that was. We sat down  
 23 together with co-op and Ms. Snyder  
 24 and I ---.

25 Q. On or about March 17th?

1 A. Well, yes, and for all I know  
 2 they were well-disciplined when she  
 3 taught them, but I don't think that  
 4 carries over. I mean ---.

5 Q. For all you know, they weren't  
 6 well-disciplined when she taught  
 7 them; correct?

8 A. That's true.

9 Q. Turn to Plaintiff's 46,  
 10 please. Page two of the exhibit, you  
 11 rated Ms. Snyder unsatisfactory in  
 12 classroom environment; is that  
 13 correct?

14 A. Yes.

15 Q. And you listed some  
 16 justifications for that at the bottom  
 17 of the page; is that correct?

18 A. Correct.

19 Q. And that's what we've been  
 20 discussing; right?

21 A. Correct.

22 Q. All right. And turn to page  
 23 four, it says the professionalism  
 24 section.

25 A. Yes.

1 A. Yeah, whatever day it was that  
 2 we did the Millersville form, because  
 3 there's --- you know, there's the  
 4 Millersville form and there was the  
 5 430 in there.

6 Q. Well, describe the meeting  
 7 that you had with Ms. Snyder. And I  
 8 take it Ms. Reinking was there; is  
 9 that right?

10 A. Yes.

11 Q. Describe the meeting, please.

12 A. It was kind of solemn because  
 13 Ms. Reinking's --- and of course  
 14 these evaluations on the Millersville  
 15 form went nowhere. I mean, as I  
 16 said, they were just ways of seeing  
 17 if we're on the same page.

18 Q. What do you mean by your  
 19 comment that these evaluations went  
 20 nowhere?

21 A. Well, what we said earlier,  
 22 the Millersville form, the official  
 23 one that goes in a letter is the one  
 24 at the end.

25 Q. Oh, okay.

1 A. The one in the middle is just  
 2 to see if everybody agrees where  
 3 we're at.  
 4 Q. All right.  
 5 A. And Ms. Reinking and I were  
 6 pretty much right on in terms of our  
 7 evaluations. And Ms. Snyder had  
 8 herself ranked up in the Gs and Rs in  
 9 almost everything, which was totally  
 10 unrealistic. And so I guess you  
 11 might say that I, at that point, kind  
 12 of tried to give her a dose of  
 13 realism. I did a lot of talking at  
 14 that conference, and was more or less  
 15 okay, you know, now is the time  
 16 things have to change if you want to  
 17 get through.  
 18 Q. You did not --- well, during  
 19 this meeting, you did not tell Ms.  
 20 Snyder that she should not be a  
 21 student teacher any longer; correct?  
 22 A. No. No, I didn't.  
 23 Q. Neither did Ms. Reinking;  
 24 correct?  
 25 A. No.

1 Q. Yes.  
 2 A. Yes, this is Ms. Reinking's.  
 3 Q. And on the first page, Ms.  
 4 Reinking gave Stacy a G in adhering  
 5 to the Pennsylvania Code of Ethics,  
 6 et cetera?  
 7 A. Correct.  
 8 Q. Did you have any discussions  
 9 with Ms. Reinking other than what  
 10 we've already discussed concerning  
 11 her preparation of this document?  
 12 A. Well, everything we've talked  
 13 about up to that point probably shows  
 14 up in here some place.  
 15 Q. Okay.  
 16 A. But no, I haven't. I didn't  
 17 help her make this up, if that's what  
 18 you're saying.  
 19 Q. No. Turn to Plaintiff's 77.  
 20 A. I'm with you.  
 21 Q. This is the Praxis scores that  
 22 Stacy received in or about March of  
 23 2006; correct?  
 24 A. If you say so, I guess.  
 25 Q. Well, take a look at it and

1 Q. And you had it in your power  
 2 at that time to remove Ms. Snyder  
 3 from ---?  
 4 A. Yes. I had discussed the  
 5 possibility with Ms. Reinking, and  
 6 she said no, I want to --- I think I  
 7 can work with her, you know ---.  
 8 Q. Okay. And you continued to  
 9 ---?  
 10 A. Stacy knew nothing about that,  
 11 as far as I know. She did know that  
 12 she had to shape up if she wanted to  
 13 pass.  
 14 Q. Okay. Turn to Exhibit 65.  
 15 This is Ms. Reinking's mid-  
 16 evaluation; is that correct?  
 17 A. Yes, it is.  
 18 Q. All right. And on the first  
 19 page where it talks about  
 20 professionalism ---.  
 21 A. Wait a minute.  
 22 Q. Sixty-five (65). You're on  
 23 64, I believe.  
 24 A. Yeah, okay. I'm on the wrong  
 25 on. Okay, 65. Midterm.

1 confirm that for me?  
 2 ATTORNEY KRAMER:  
 3 We're not disputing the  
 4 authenticity of this document.  
 5 BY ATTORNEY VOIGT:  
 6 Q. All right. And what do you  
 7 know about the Praxis examinations?  
 8 A. They're a test of competency.  
 9 Q. Is it a state-wide test?  
 10 A. Yes.  
 11 Q. And it tests the competency of  
 12 future teachers in their proposed  
 13 subject matter areas; is that what it  
 14 does?  
 15 A. Yes.  
 16 Q. Now, at the bottom of the  
 17 page, it looks like Stacy took a  
 18 Praxis exam in English language,  
 19 literature, composition, content and  
 20 knowledge; do you see that?  
 21 A. Yes.  
 22 Q. And she scored a 171; do you  
 23 see that?  
 24 A. And that would, if you look  
 25 under the test date, that would place

1 her in the average performance range;  
 2 is that correct?  
 3 A. Yes.  
 4 Q. Do you have any reason to  
 5 doubt the authenticity of this  
 6 document?  
 7 A. No.  
 8 Q. So according to the state,  
 9 Stacy knows English literature and  
 10 composition, et cetera, in a  
 11 satisfactory manner; correct?  
 12 ATTORNEY KRAMER:  
 13 I'll object. The  
 14 document speaks for itself.  
 15 She certainly scored as the  
 16 document indicates. I don't  
 17 know if can ---.  
 18 BY ATTORNEY VOIGT:  
 19 Q. Well, do you know why Stacy  
 20 would score in the average range on  
 21 the Praxis exam and then in your view  
 22 not present the material in class in  
 23 a satisfactory manner?  
 24 A. Can I explain that?  
 25 Q. Yes.

1 observation was on the 3rd.  
 2 Q. And how long did you evaluate  
 3 Stacy this time, the same, 90  
 4 minutes?  
 5 A. Yes.  
 6 Q. And you say the lesson plan  
 7 was excellent. Do you see that,  
 8 third line down?  
 9 A. Yes.  
 10 Q. And you agree with that  
 11 statement?  
 12 A. Yes.  
 13 Q. And you listed a number of  
 14 glows --- said a new development.  
 15 You didn't have glows and grows  
 16 before; did you?  
 17 A. No, but I decided to get  
 18 creative.  
 19 Q. Okay. So you have five glows  
 20 and only two grows; is that correct?  
 21 A. That's correct.  
 22 Q. All right. And you gave Stacy  
 23 a glow on preparation; is that right?  
 24 A. That's correct.  
 25 Q. Okay. And you didn't list any

1 A. No, I can't explain it.  
 2 Q. Did you look into it? It  
 3 looks like Stacy ---.  
 4 A. I wasn't even aware of what  
 5 she had in her Praxis. I just know  
 6 she passed it.  
 7 Q. Wouldn't it have been useful  
 8 to look into her Praxis scores if  
 9 you're seeing these problems of  
 10 content? Wouldn't it have been  
 11 useful to look up her Praxis scores  
 12 and see if state forms are showing  
 13 the same thing?  
 14 A. Well, it would have been  
 15 useful, I guess, as it relates to  
 16 what was going on in the classroom.  
 17 That was --- what's going on in your  
 18 classroom was the most important  
 19 thing to me.  
 20 Q. All right. Turn to  
 21 Plaintiff's, 47 page one. This is  
 22 your evaluation from block one on  
 23 April 3rd; correct?  
 24 A. Yes. It's dated --- the  
 25 conference was on the 5th, the

1 grows for Stacy concerning  
 2 unprofessional; did you?  
 3 A. No, the grows had to do with  
 4 modeling and key questions.  
 5 Q. All right. And did you meet  
 6 with Stacy on or about April 5th?  
 7 A. Yes.  
 8 Q. And what was the nature of  
 9 that meeting?  
 10 A. I think the nature of it was  
 11 very positive. I thought that she  
 12 was starting out on the right foot  
 13 with this class and ---.  
 14 Q. Is this a new class?  
 15 A. Yes. I may have been in error  
 16 when I talked about that other  
 17 observation being the new class. I  
 18 think this was probably the new  
 19 class, or maybe they both were.  
 20 Q. So Stacy didn't have any  
 21 problems with keeping this new class  
 22 in line; right?  
 23 A. Well, I didn't say she didn't  
 24 have any problems, but it was well  
 25 within the bounds of reasonable, I

1 would say.  
 2 Q. Do you know who the next  
 3 teacher was of the old class? Was  
 4 that Reinking again?  
 5 A. Yes, yes.  
 6 Q. You didn't go visit the old  
 7 class and determine whether they had  
 8 suddenly stopped misbehaving now that  
 9 Ms. ---?  
 10 A. No, I didn't.  
 11 Q. Let me finish the question.  
 12 You didn't go back to the old class  
 13 to determine whether they had  
 14 suddenly started behaving,  
 15 appropriating now that Ms. Reinking  
 16 was in charge; correct?  
 17 ATTORNEY KRAMER:  
 18 I object to the  
 19 compound question. He didn't  
 20 go back to the old class.  
 21 BY ATTORNEY VOIGT:  
 22 Q. All right. You didn't go back  
 23 to the old class; right?  
 24 A. Right.  
 25 Q. Okay. All right. P-47, page

1 A. Have them speak up when they  
 2 answered so the other students could  
 3 hear what they were saying.  
 4 Q. All right. And turn to page  
 5 three. This is block two from April  
 6 6th.  
 7 A. Yes.  
 8 Q. This is another 90 minutes?  
 9 A. Yes.  
 10 Q. And you said that Stacy made  
 11 good use of her time; is that right?  
 12 A. To a point. If you read down  
 13 through that thing, it went like  
 14 this. It was okay for a while and  
 15 then it went 20 minutes left in the  
 16 class ---.  
 17 ATTORNEY VOIGT:  
 18 Off the record.  
 19 OFF RECORD DISCUSSION  
 20 BY ATTORNEY VOIGT:  
 21 Q. So what happened in the last \  
 22 --- it says here the last few minutes  
 23 of the class; what happened then?  
 24 A. Well, as the first two  
 25 paragraphs, three paragraphs

1 two. It says April 6, block one.  
 2 Same, 90 minutes?  
 3 A. Yes.  
 4 Q. And you said that Stacy was  
 5 highly organized; right?  
 6 A. Yes.  
 7 Q. And you complemented her in  
 8 ten different areas; right?  
 9 A. Correct.  
 10 Q. No comments regarding  
 11 unprofessionalism; right?  
 12 A. Correct.  
 13 Q. Did you talk to Stacy about  
 14 this one?  
 15 A. Yes.  
 16 Q. And what was the nature of  
 17 that conversation?  
 18 A. I talked to her about trying  
 19 to get more out of these kids.  
 20 Unlike the other class, this class  
 21 tended to be very quiet. And I'm  
 22 trying to get them to talk, you know,  
 23 rather than trying to keep them  
 24 quiet.  
 25 Q. Okay.

1 indicate, things were going well.  
 2 She had the kids working in pairs.  
 3 She had specific instructions on what  
 4 they were supposed to do. She stated  
 5 the purpose well. She got some take-  
 6 time-to-think-type questions.  
 7 One of her problems was that  
 8 she would ask a kid a question and  
 9 then cut him off. So you know, she  
 10 did better with taking time to allow  
 11 somebody to think before they  
 12 responded.  
 13 But then what happened was  
 14 after they were done working in  
 15 pairs, instead of moving them back  
 16 into their regular seats, she just  
 17 left them stay in pairs, you know.  
 18 So then they started talking and the  
 19 class got out of hand and she got  
 20 mad. So she said okay, you're not  
 21 --- I think she said mature enough to  
 22 do another activity, and then she  
 23 gave them something to study for the  
 24 rest of the period, which was about  
 25 12, 15 minutes. I'm not exactly sure

1 anymore. I say 12 minutes here. And  
 2 then when they got quiet, she started  
 3 talking again.  
 4 So in the conference, I said,  
 5 you know, if your purpose is to have  
 6 them sit there quietly because  
 7 they're not mature enough to handle  
 8 another activity, once they sit there  
 9 quietly and listen to what you tell  
 10 them, then don't start talking again.  
 11 You know, you're defeating your own  
 12 purpose.  
 13 And I said, do you know where  
 14 the legs fell off of this lesson?  
 15 And she said, yes, I do. I didn't  
 16 move them back to their regular  
 17 seats. And that's --- so that lesson  
 18 was good, then it went downhill.  
 19 Q. You didn't think that Stacy  
 20 was unprofessional during that class;  
 21 did you?  
 22 A. No.  
 23 Q. All right. Turn to P-47 page  
 24 four, April 18th. And this was  
 25 another 90-minute evaluation?

1 observe Stacy in class after April  
 2 18th; is that correct?  
 3 A. That's correct; not formally.  
 4 Q. Informally, did you?  
 5 A. I'd have to check my visits,  
 6 which I'm going to give you, but I  
 7 probably dropped in. I know I  
 8 dropped in one day when she had a  
 9 discipline problem down in the  
 10 library and was convinced that it  
 11 wasn't a big problem. But I'll have  
 12 the dates of when I dropped in. I  
 13 have them some place. I'll find it.  
 14 Q. All right. Turn to the table  
 15 of contents which is in the front of  
 16 the first book all the way at the  
 17 front, page three. Now, the table of  
 18 contents lists a number of teacher  
 19 observations and the dates of the  
 20 observations. Were you present  
 21 during any of these observations? If  
 22 not, I'll just move on. But if you  
 23 were, maybe I'll ask some more  
 24 questions.  
 25 A. I don't even know what these

1 A. Yes.  
 2 Q. You have ten glowing comments  
 3 on Stacy; is that right?  
 4 A. Yes.  
 5 Q. And you say, among other  
 6 things, excellent CIRQL unit  
 7 planning?  
 8 A. Yes.  
 9 Q. What does that mean exactly?  
 10 A. Well, a CIRQL unit is the unit  
 11 she did on Macbeth, which was her  
 12 CIRQL unit.  
 13 Q. Oh, okay.  
 14 A. And I felt at this stage of  
 15 the game it was going well, it was  
 16 going according to plan.  
 17 Q. Okay. It also says great  
 18 improvement in content; is that  
 19 right?  
 20 A. Yes.  
 21 Q. Okay. And as for the grow  
 22 comments, there's no comments about  
 23 unprofessionalism; correct?  
 24 A. That's correct.  
 25 Q. All right. Now, you did not

1 are.  
 2 Q. Well, if you don't know, then  
 3 it's all right. We'll take an  
 4 example then. Turn to Plaintiff's  
 5 33.  
 6 A. Okay. Well, it's going to ---  
 7 it's dawned on me here what this is.  
 8 Other people ---.  
 9 Q. Well, answer the question as  
 10 long as we're on the subject.  
 11 Plaintiff's 33.  
 12 A. I think it's backwards. I  
 13 think she was observing them, not  
 14 them observing her.  
 15 Q. Oh, if that's the case then  
 16 tell me?  
 17 A. I know they didn't all come in  
 18 and observe her classes. She had to  
 19 go out and observe other classes. So  
 20 I think that's what it is.  
 21 Q. Oh, okay.  
 22 A. Her observing ---.  
 23 Q. So this is Stacy's  
 24 handwriting; is that what you're  
 25 saying?

<p>1 A. Yes.</p> <p>2 Q. Okay.</p> <p>3 A. Yes, that's what this is. She 4 had to observe so many teachers, so 5 many in the English discipline, but 6 she was not to restrict herself to 7 the English discipline. She was to 8 --- she was looking for style, not 9 particularly content.</p> <p>10 Q. All right. So no other CV 11 teachers observed Stacy teaching 12 other than Ms. Reinking; is that what 13 you're saying, to your knowledge?</p> <p>14 A. To my knowledge.</p> <p>15 Q. Okay. Shouldn't other 16 teachers come in and observe a 17 student teacher throughout the 18 semester? Wouldn't that be 19 preferable?</p> <p>20 A. Well, it might be preferable, 21 but it happens very seldom. The only 22 time it happens usually is if the 23 person invites somebody in.</p> <p>24 Q. The person being the teacher?</p> <p>25 A. The student teacher or the co-</p>	<p>1 A. --- or something to that effect.</p> <p>3 Q. The opposite would be true, 4 too? If a student teacher was to do 5 a really bad job, it's possible that 6 the cooperating teacher could bring 7 in another teacher or a supervisor or 8 something to observe the interactions 9 in class?</p> <p>10 ATTORNEY KRAMER: 11 You can answer, but I 12 would object to calls for speculation. You can answer. 14 A. I never knew if that happened.</p> <p>15 BY ATTORNEY VOIGT:</p> <p>16 Q. Okay. Now, turn to P-47, page 17 five. There's a CIRQL unit 18 evaluation; right?</p> <p>19 A. Yes, but as I said previously, 20 that has nothing to do with teaching. 21 That is basically what the --- this 22 is the form I used to evaluate her 23 unit. And all those things that are 24 listed up there had to go in with her 25 CIRQL unit along with the content and</p>
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<p>1 op. Many times they might invite the 2 principal in.</p> <p>3 Q. So if a teacher gets really 4 bad --- if a student teacher gets 5 really bad or really inappropriate, 6 then the cooperating teacher on 7 occasion would bring in a supervisor 8 or a principal to observe the 9 situation?</p> <p>10 ATTORNEY KRAMER: 11 I'll object. That's 12 not what he said.</p> <p>13 ATTORNEY VOIGT: 14 Well, if it isn't then 15 he can explain.</p> <p>16 A. I was talking about the 17 offices really . Usually if a student 18 teacher is doing a good job and the 19 co-op wants to show them off to the 20 principal, in case there's a position 21 open up or in case there's --- they 22 want to have the principal as a 23 reference ---</p> <p>24 BY ATTORNEY VOIGT: 25 Q. Oh, okay.</p>	<p>1 the lesson plans and the whole --- so 2 this does not relate to teaching. It 3 relates to preparation.</p> <p>4 Q. So this has no relevance to 5 Stacy's ability as a teacher?</p> <p>6 A. Certainly it does. It says 7 that she is a good planner.</p> <p>8 Q. Planning is an important part 9 of teaching; wouldn't you agree?</p> <p>10 A. Yes.</p> <p>11 Q. Describe the project that 12 Stacy completed which lead to this 13 evaluation. You talked about it a 14 little bit, but describe in more 15 detail, please.</p> <p>16 A. Well, the CIRQL plan or 17 whatever you want to call it from 18 Millersville includes all these 19 things that are listed here in the 20 planning stages. And then the CIRQL 21 units are shown off at a CIRQL fair 22 at the end of the semester, where the 23 students not only include this in 24 their booklet, but they also include 25 their best five lesson plans out of</p>
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<p style="text-align: right;">Page 122</p> <p>1 all the lesson plans they used.      2 And then they sit around and      3 they collaborate with other students      4 at the end of the semester. And so      5 in preparing this, the student has to      6 prepare a lot of the planning, but      7 also has to prepare the lesson plans      8 and the assessments that go with it.      9 <b>Q. And what did Stacy do in</b>      10 <b>particular? Do you remember what her</b>      11 <b>CIRQL unit plan was that got all</b>      12 <b>these E's?</b>      13 A. Macbeth.      14 <b>Q. What was it about Macbeth that</b>      15 <b>Stacy did that was worthy of</b>      16 <b>exemplary grades?</b>      17 A. Well, I felt that she had      18 taken seriously the earlier      19 discussions about content and that      20 really had the proper content,      21 everything in their proper form. I      22 felt the assessments were much better      23 than any I had seen during the      24 semester so far.      25 <b>Q. Compared to other students, or</b></p>	<p style="text-align: right;">Page 124</p> <p>1 not discuss any problems with Stacy's      2 professionalism; correct?      3 A. Correct.      4 <b>Q. And at that meeting, you did</b>      5 <b>not give Stacy any indication that</b>      6 <b>she would not be receiving her</b>      7 <b>Bachelor of Science in Education</b>      8 <b>degree; correct?</b>      9 A. Correct.      10 ATTORNEY VOIGT:      11 Let's take a break and      12 then we'll move on to the      13 drunken pirate photo.      14 SHORT BREAK TAKEN      15 ATTORNEY VOIGT:      16 Back on the record.      17 BY ATTORNEY VOIGT:      18 <b>Q. Turn to Plaintiff's 93. Have</b>      19 <b>you ever seen this photo before?</b>      20 A. Not this exact photo.      21 <b>Q. Have you ever seen a similar</b>      22 <b>photo?</b>      23 A. Yes.      24 <b>Q. When did you first see a</b>      25 <b>similar photo?</b></p>
<p style="text-align: right;">Page 123</p> <p>1 just compared to ---?      2 A. Compared to her own earlier      3 assessments. I had spoken to her on      4 a number of occasions about how the      5 assessments didn't tend to match her      6 teaching sometimes. Test what you      7 teach. And so I complemented her for      8 the assessments that I felt were      9 right on.      10 <b>Q. Did you meet with Stacy to</b>      11 <b>discuss this evaluation?</b>      12 A. Yes.      13 <b>Q. Was it on or about May 2nd?</b>      14 A. Yes. She had to have this      15 done for the CIRQL. I had to have it      16 evaluated before they had this CIRQL      17 festival or fair or whatever it is.      18 So yes, I would say that that's when      19 I met with her, 5/2.      20 <b>Q. All right. And describe the</b>      21 <b>meeting, please.</b>      22 A. Well, I don't recall much      23 about it except I think it was      24 positive.      25 <b>Q. And at that meeting, you did</b></p>	<p style="text-align: right;">Page 125</p> <p>1 A. I saw the one that was posted      2 on May the 4th. That's the date on      3 it, and the first time I saw it was      4 on May the 8th.      5 <b>Q. So turn to Plaintiff's 51. Is</b>      6 <b>this the photo that you saw on or</b>      7 <b>about May 8th?</b>      8 A. Yes.      9 <b>Q. And you also saw the text on</b>      10 <b>or about that date?</b>      11 A. That's correct.      12 <b>Q. How did you come to receive or</b>      13 <b>see this photo and this text?</b>      14 A. Mrs. Reinking had a copy of      15 it.      16 <b>Q. And how did she go about</b>      17 <b>delivering it to you?</b>      18 A. Well, I went over to the      19 school on the 8th after I was called      20 on the telephone by Mrs. Buffington.      21 <b>Q. And what did --- before we get</b>      22 <b>to that, prior to seeing this photo</b>      23 <b>and text on May the 8th, you had</b>      24 <b>taken no steps to set in motion the</b>      25 <b>denial of Stacy's Bachelor of Science</b></p>

1       **in Education degree; correct?**  
 2       A. I had nothing to do with that  
 3       whatsoever, one way or the other.  
 4       **Q. Okay. But to answer the ---.**  
 5       A. You keep referring to me as a  
 6       policy maker. I'm an adjunct  
 7       instructor. I'm not a policy maker.  
 8       **Q. Okay. Well, please, answer**  
 9       **the question. You took no steps to**  
 10      **deny Stacy her Bachelor of Science in**  
 11      **Education degree prior to seeing this**  
 12      **photo and text; correct?**  
 13      ATTORNEY KRAMER:  
 14      Objection. He answered  
 15      that. He doesn't have, as I  
 16      have said, the authority to  
 17      take steps to grant or deny  
 18      the degree.  
 19      BY ATTORNEY VOIGT:  
 20      **Q. Okay. You make**  
 21      **recommendations; do you not?**  
 22      A. Yes.  
 23      **Q. You had taken no steps prior**  
 24      **to May 8th of 2006 to make any**  
 25      **recommendations regarding the denial**

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1       **of Stacy's Bachelor of Science in**  
 2       **Education degree; correct?**  
 3       A. I have no --- it wasn't up to  
 4       me. I have no authority to say  
 5       whether she was going to get a  
 6       Bachelor of Science or whether she  
 7       wasn't. My job is to evaluate her  
 8       and to be her supervisor and do the  
 9       academic evaluation.  
 10      **Q. And to make recommendations;**  
 11      **right?**  
 12      A. To make recommendations.  
 13      **Q. Okay. And you make**  
 14      **recommendations to Dr. Bray; would**  
 15      **that be accurate?**  
 16      ATTORNEY KRAMER:  
 17      Are you asking in this  
 18      case or ---?  
 19      BY ATTORNEY VOIGT:  
 20      **Q. No, just generally in the**  
 21      **normal course of things, do you make**  
 22      **recommendations to Dr. Bray?**  
 23      A. Not in the normal course of  
 24      things. In the normal course of  
 25      things, Dr. Bray is never even

1       involved in ---. This is an unusual  
 2       situation.  
 3       **Q. Oh, okay. In this case, did**  
 4       **you make a recommendation to Dr. Bray**  
 5       **after reviewing this photograph?**  
 6       A. In regard to?  
 7       **Q. In regard to Stacy and the**  
 8       **awarding or not awarding to Stacy of**  
 9       **her Bachelor of Science in Education?**  
 10      A. I made no recommendation on  
 11      that.  
 12      **Q. Now, prior to seeing this**  
 13      **photo and text, no one at Conestoga**  
 14      **Valley, including Ms. Reinking and**  
 15      **Ms. Buffington, had complained to you**  
 16      **about Stacy's professionalism;**  
 17      **correct?**  
 18      A. No, that's not correct.  
 19      **Q. What did they do to complain**  
 20      **to you about Stacy's professionalism?**  
 21      A. Well, first of all, before the  
 22      evaluation --- I've already said,  
 23      that it was nothing unusual. The  
 24      only incidence that I was aware of is  
 25      when she spoke in her class about

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1       meeting her ex-husband at a --- her  
 2       and her kids saw her ex-husband at  
 3       some outlet or something. And I  
 4       spoke to her about that. I said,  
 5       remember, you don't get personal, the  
 6       kids --- the worst thing you can do  
 7       is try to get buddy, buddy with these  
 8       kids. And you know, you have to  
 9       start out, even though it's --- you  
 10      got to start out as strangers.  
 11      And the only other thing I was  
 12      aware of was that she had asked the  
 13      principal for a key to the room,  
 14      rather than going through the proper  
 15      channels.  
 16      **Q. Is that improper in some**  
 17      **fashion, to talk to the principal if**  
 18      **you're a student teacher?**  
 19      A. Yes. Well, to say, may I have  
 20      the key to the room, you should go  
 21      through your co-op.  
 22      **Q. Is that written down somewhere**  
 23      **that you have to go through your co-**  
 24      **op before you speak to the principal?**  
 25      A. No, no. It's just

1 commonsense.  
 2 Q. What is your basis for calling  
 3 that commonsense?  
 4 A. Because these student teachers  
 5 are told when they go out there,  
 6 they're the guests of the school.  
 7 You know, fit in. Don't sit in  
 8 somebody's chair on the faculty. You  
 9 know, do what you're expected to do.  
 10 Go through the proper chains of  
 11 command. You know, use some  
 12 commonsense when you're out there.  
 13 I'm not saying that was a big thing,  
 14 or I would have graded her down.  
 15 What I'm saying is, those are  
 16 the things I was aware of in the  
 17 middle. Now, when we met for the  
 18 mid-conference, I became aware by  
 19 reading Ms. Reinking's mid-conference  
 20 that she had told a couple classes to  
 21 shut up, which up to that point, I  
 22 had no knowledge of. And I attribute  
 23 to the fact that, you know, Ms.  
 24 Reinking was trying to help her,  
 25 trying to get her through some of

1 these things.  
 2 But then after the mid, there  
 3 were some other things that happened  
 4 that I was told about that Ms.  
 5 Reinking told me about where, when  
 6 she went out to complete her  
 7 observations of other teachers that  
 8 teachers complained to her because  
 9 instead of paying attention to the  
 10 class, she was sitting back there  
 11 working on lesson plans. There was  
 12 an incident that I was told about  
 13 where she played some music that had  
 14 some foul language in it.  
 15 Q. We'll get to all of that. So  
 16 your testimony is that by complaining  
 17 about Stacy speaking to the principal  
 18 at Conestoga Valley without first  
 19 going through Ms. Reinking, is a  
 20 complaint about Stacy's  
 21 unprofessionalism?  
 22 ATTORNEY KRAMER:  
 23 I'll object. He said  
 24 --- he referred to incidents  
 25 above and beyond that one

1 particular incident.  
 2 BY ATTORNEY VOIGT:  
 3 Q. Okay. Do you believe ---?  
 4 A. I said that that happened  
 5 before the mid, and I didn't attach  
 6 no real significance to it because it  
 7 wasn't unusual for a student teacher.  
 8 I mean, I spoke to her about it, but  
 9 I didn't ---  
 10 Q. Okay.  
 11 A. --- think it was a big deal.  
 12 Q. All right. Now, do you know  
 13 whether this photo and text, which is  
 14 Parent's (sic) 51, caused any actual  
 15 disruption at Conestoga Valley School  
 16 District? Let me strike that.  
 17 As you sit here today, you do  
 18 not know of any actual disruption of  
 19 the school environment at Conestoga  
 20 Valley School District due to the  
 21 photo and text, which is Parent's 51?  
 22 ATTORNEY KRAMER:  
 23 If you can just  
 24 clarify.  
 25 ATTORNEY VOIGT:

1 Plaintiff's 51.  
 2 ATTORNEY KRAMER:  
 3 When you refer to  
 4 disruption, are you including  
 5 --- are you referring only to  
 6 what's going on in the  
 7 classroom as opposed to,  
 8 perhaps, Reinking and  
 9 Buffington getting involved as  
 10 well?  
 11 ATTORNEY VOIGT:  
 12 I'll let the witness  
 13 define it however he wants.  
 14 BY ATTORNEY VOIGT:  
 15 Q. You do not know of any actual  
 16 disruption of the school environment  
 17 at Conestoga Valley due to Ms.  
 18 Snyder's posting this photo and text;  
 19 P-51?  
 20 A. It depends on how you define  
 21 disruption. But the fact that there  
 22 were students looking at this, and  
 23 she says clearly here that that's  
 24 okay. And then I was informed that  
 25 on the 5th, which was a Friday, that

1 she had mentioned in one of her  
 2 classes that one of her students had  
 3 been on her MySpace website and of  
 4 course, knowing students, everybody  
 5 would have gone home and gotten on  
 6 the website. So I don't know how you  
 7 define disruption, but I would say  
 8 that there was at least a ripple  
 9 going through the community there.  
 10 Q. Okay. You don't know of any  
 11 other students beside the one student  
 12 that you referred to that actually  
 13 saw this on Ms. Snyder's website;  
 14 correct?  
 15 A. Correct.  
 16 Q. And everything else would be  
 17 just speculation; correct?  
 18 A. Yeah. Yes.  
 19 Q. Okay. Other than what you  
 20 described there, can you think of any  
 21 other actual disruption of the school  
 22 environment due to Ms. Snyder's  
 23 posting this photo and text?  
 24 A. Yes.  
 25 Q. What?

1 blaming all the problems on that  
 2 person.  
 3 Q. So you don't see the word  
 4 Reinking in that?  
 5 A. I do not see it, but I can't  
 6 see who else it would be.  
 7 Q. Are you not speculating as to  
 8 the nature of that person?  
 9 A. Yes.  
 10 Q. And you are not aware of any  
 11 interference in discipline at  
 12 Conestoga Valley due to Ms. Snyder's  
 13 posting this photo and text; correct?  
 14 ATTORNEY KRAMER:  
 15 I will object. You can  
 16 answer it, but I think he's  
 17 already answered that  
 18 question.  
 19 BY ATTORNEY VOIGT:  
 20 Q. Did discipline break down at  
 21 Conestoga Valley due to this photo  
 22 and text?  
 23 ATTORNEY VOIGT:  
 24 Go off the record.  
 25 BRIEF INTERRUPTION

1 A. I would say that the text here  
 2 got some people up in arms. I don't  
 3 know that it disrupted the students,  
 4 but it certainly got some people up  
 5 in arms in the English Department.  
 6 Because even though Stacy had been  
 7 told in teaching of that if she had  
 8 something like MySpace, it was never  
 9 to point a finger at anybody, never  
 10 to be personal, never to mention  
 11 anybody's name. And secondly, in  
 12 that orientation, when I was there,  
 13 they were told if they had these  
 14 accounts they should delete them.  
 15 But when you read this last  
 16 sentence here, they keep asking me  
 17 why I don't apply there. Do you  
 18 think it would hurt me to tell them  
 19 the real reason for who the problem  
 20 was? Now, if that's not Ms.  
 21 Reinking, I wouldn't know who --- you  
 22 might as well just put Reinking's  
 23 name right down there. And to me,  
 24 that is a personal pointing the  
 25 finger at a professional person and

1 BY ATTORNEY VOIGT:  
 2 Q. There was nothing threatening  
 3 about this photo and text; correct?  
 4 A. Correct.  
 5 Q. You do not consider this photo  
 6 lewd or obscene; do you?  
 7 A. No.  
 8 Q. You don't consider the  
 9 language accompanying the photo to be  
 10 lewd or obscene; do you?  
 11 A. No.  
 12 Q. Now, in the text, Stacy  
 13 discusses her decision not to apply  
 14 for a job at Conestoga Valley; right?  
 15 A. Correct.  
 16 Q. Wouldn't someone reading this  
 17 posting be entitled to know about  
 18 Stacy's decision in that regard?  
 19 ATTORNEY KRAMER:  
 20 I'll object. It's a  
 21 very bad question. I'm not  
 22 sure he can answer it.  
 23 BY ATTORNEY VOIGT:  
 24 Q. Well, wouldn't it be a matter  
 25 of public concern that Stacy decided

1       **not to apply?**  
 2       ATTORNEY KRAMER:  
 3       I'll object. That  
 4       calls for a conclusion ---.  
 5       BY ATTORNEY VOIGT:  
 6       Q. You can answer over objection  
 7       pursuant to our usual stipulations.  
 8       Wouldn't you agree that it is a  
 9       matter of public concern at least  
 10      within the Conestoga Valley School  
 11      District concerning whether Stacy  
 12      decided to apply for a job there?  
 13      ATTORNEY KRAMER:  
 14      Same objection. You  
 15      can go ahead and answer.  
 16      A. Well, the Conestoga Valley has  
 17      a process that they use to decide  
 18      who's going to be interviewed ---.  
 19      BY ATTORNEY VOIGT:  
 20      Q. I'm not concerned about that.  
 21      I'm concerned with whether this  
 22      posting discusses a matter of public  
 23      concern, which is Stacy's decision  
 24      not to apply.  
 25      ATTORNEY KRAMER:

1       I would object. It  
 2       calls for a conclusion that  
 3       he's ---.  
 4       BY ATTORNEY VOIGT:  
 5       Q. Okay. Let me rephrase the  
 6       question. Would you agree that  
 7       Stacy's decision not to apply at  
 8       Conestoga Valley School District for  
 9       a job is a matter of public concern  
 10      at least among the Conestoga Valley  
 11      community?  
 12      ATTORNEY KRAMER:  
 13      Same objection. You  
 14      can answer.  
 15      BY ATTORNEY SMITH:  
 16      Q. Wouldn't their students want  
 17      to know why she's not applying for a  
 18      job?  
 19      ATTORNEY KRAMER:  
 20      Or if you don't know,  
 21      tell him you don't know.  
 22      A. I don't know.  
 23      BY ATTORNEY VOIGT:  
 24      Q. If you were a student in  
 25      Stacy's class, wouldn't you want to

1       know why your student teacher wasn't  
 2       applying for a job there?  
 3       ATTORNEY KRAMER:  
 4       Objection. Calls for  
 5       speculation.  
 6       BY ATTORNEY VOIGT:  
 7       Q. You can answer it.  
 8       A. I don't think I would. It  
 9       wouldn't cross my mind actually.  
 10      What would students know about an  
 11      opening? You know, if there was even  
 12      a job opening?  
 13      Q. After receiving this photo ---  
 14      strike that.  
 15      I take it you first learned of  
 16      this photo through a phone call; is  
 17      that correct?  
 18      A. Yes.  
 19      Q. From Ms. Buffington; is that  
 20      correct?  
 21      A. Yes.  
 22      Q. Okay. And who is Ms.  
 23      Buffington?  
 24      A. She is the English Supervisor  
 25      at Conestoga Valley.

1       Q. Okay. What was the nature of  
 2       that phone call?  
 3       A. The major of it was that she  
 4       said that they had some serious  
 5       objections about Stacy's  
 6       professionalism, and she had  
 7       discussed this with the acting  
 8       superintendent because the  
 9       superintendent was away. And that he  
 10      had decided that she should not be  
 11      allowed to continue, that she would  
 12      only be allowed to return on the  
 13      11th, which would be a Thursday, to  
 14      pick up her materials and I was to  
 15      accompany her and accompany her out.  
 16      And she was to have no connection  
 17      with the students.  
 18      Q. What was your response to  
 19      those comments?  
 20      A. My response was, why me?  
 21      Q. What does that mean?  
 22      A. I mean, that week was one of  
 23      the worst weeks of my life is what it  
 24      means.  
 25      Q. Okay. Did you attempt to

1 defend Stacy? After all, you just  
 2 gave her Es on her CIRQL.  
 3 A. I went in to talk to Reinking  
 4 and Buffington.  
 5 Q. Was that on the 8th of '06?  
 6 A. That would have been the 8th,  
 7 yes.  
 8 Q. And what did you say?  
 9 A. I didn't say much. I just  
 10 listened because I was trying to make  
 11 some sense out of the whole thing,  
 12 because to me, it was a situation I  
 13 hadn't encountered before. So I did  
 14 most of the listening instead of  
 15 talking. I was told that she was not  
 16 to return until Thursday, and I was  
 17 to come in with her and go out with  
 18 her and get her stuff. That was it,  
 19 and so ---.  
 20 Q. What did you say? Did you  
 21 defend Stacy? After all, you just  
 22 gave her a lot of glowing comments on  
 23 the last few evaluations.  
 24 A. Well, I don't recall, you  
 25 know, what all I said or whether I

1 Q. At that meeting, were you  
 2 shown a copy of the photo and text on  
 3 Plaintiff's 51?  
 4 A. Yes.  
 5 Q. Did you receive a copy of it?  
 6 A. Yes.  
 7 Q. Did you take one home with  
 8 you?  
 9 A. Yes, I did.  
 10 Q. What did you do after leaving  
 11 the meeting?  
 12 A. Well, I went home and I  
 13 reviewed everything that was going on  
 14 and I --- as I recall, either that  
 15 day or the next morning, I called out  
 16 at Millersville or came out here to  
 17 Millersville to talk to the guy who  
 18 lines up the students within the  
 19 Department, you know, who actually  
 20 does the assigning of student  
 21 teachers and kind of shared the ---.  
 22 Q. Who's that?  
 23 A. That's another one I'll have  
 24 to ---.  
 25 Q. Before we get to May 9th,

1 tried to defend her or whether I just  
 2 listened to what they were saying  
 3 because I'm not a real fast thinker,  
 4 you know. I have to process stuff a  
 5 little bit before I decide what I'm  
 6 doing, so I guess you might say that  
 7 I just was a listener and trying to  
 8 process what all this meant. So I  
 9 didn't say a whole lot when I was  
 10 there.  
 11 Q. How long did the meeting last?  
 12 A. It was short and sweet.  
 13 Q. Less than ten minutes, less  
 14 than five minutes?  
 15 A. Maybe 15 minutes, I don't  
 16 know.  
 17 Q. Who all was at the meeting?  
 18 A. Mrs. Buffington, Mrs.  
 19 Reinking, and me.  
 20 Q. Ms. Seldomridge was not there?  
 21 A. She wasn't there.  
 22 Q. Was Dr. Bray at that meeting?  
 23 A. No.  
 24 Q. How did the meeting end?  
 25 A. I don't recall.

1 let's stick with May 8th. P-51, page  
 2 two.  
 3 A. All right. What are we  
 4 looking at?  
 5 Q. P-51, page two. Your copy  
 6 probably isn't very good. So this is  
 7 the note, the post-it note that  
 8 accompanied the photo and text. Can  
 9 you read that for me, please?  
 10 A. Does not respect professional  
 11 boundaries. A way to say she is  
 12 surely --- or socially, whatever,  
 13 inept.  
 14 Q. Let me just read it for the  
 15 record. It says, does not respect  
 16 professional boundaries. A way to  
 17 say she is socially inept. Do you  
 18 know who wrote that?  
 19 A. No.  
 20 Q. Did you ever see that note  
 21 before?  
 22 A. No.  
 23 Q. Did you speak with Stacy on  
 24 May 8th if 2006?  
 25 A. I think she called me.

1 Q. Let me turn your attention to  
 2 Plaintiff's 100, which is all the way  
 3 in the back, page five.  
 4 A. Yes.  
 5 Q. Actually, let's ---. It says  
 6 here, Plaintiff immediately  
 7 telephoned Girvin, who, in his  
 8 individual capacity, refused to  
 9 disclose any further information. Do  
 10 you recall a conversation with Ms.  
 11 Snyder on May 8th?  
 12 A. Yes. I don't recall whether  
 13 that was before or after my visit  
 14 over to CV, but I do recall saying  
 15 that I didn't know enough about the  
 16 situation to comment on it.  
 17 Q. All right. Why did you not  
 18 give Stacy any further details? Was  
 19 it just that you didn't know any  
 20 details?  
 21 A. Well, if it was before I went  
 22 over to the school, that would be  
 23 true. I'm not sure whether it was  
 24 before or after I went over to the  
 25 school when I was talking to her on

1 at all with her. That complicates  
 2 this because she was in the hospital.  
 3 So that's where Weinrick (phonetic)  
 4 comes into this thing because  
 5 Weinrick was the acting dean when I  
 6 came out here to talk. And the guy I  
 7 was talking about that set up the  
 8 student teachers referred me to  
 9 Weinrick because she was acting dean.  
 10 Q. All right. So let's take this  
 11 step by step. You said earlier that  
 12 on May 9th, you contacted somebody at  
 13 Millersville who was the supervisor  
 14 of all the student teachers?  
 15 A. No, just the secondary ones  
 16 who assigned them. You know, it was  
 17 just an administrative task of  
 18 assigning the student teachers.  
 19 Q. Okay. What did you say during  
 20 that conversation?  
 21 A. Well, I told him what the  
 22 problem was. I showed him the  
 23 picture and he referred me to Dr.  
 24 Weinrick.  
 25 Q. And the reason for the

1 the phone.  
 2 Q. Okay. All right. Turn to  
 3 Plaintiff's 48 on the first page.  
 4 This is an e-mail from Buffington to  
 5 Reinking dated May 9 of '06.  
 6 A. Okay.  
 7 Q. Did you ever see this e-mail  
 8 before? First page, we'll get to the  
 9 second page in a minute.  
 10 A. No. Oh, wait a minute. Well,  
 11 since it's sent to me, I guess I did.  
 12 I'm familiar with what's on the next  
 13 page if that's what you're referring  
 14 to.  
 15 Q. Before we get to the next  
 16 page, did you have any conversations  
 17 with Buffington about either the memo  
 18 or the accompanying text on the  
 19 following page?  
 20 A. No, not with Buffington.  
 21 Q. All right. Did you have any  
 22 conversations with Bray about the  
 23 memo? First of all, who is Jane  
 24 Bray?  
 25 A. Well, I had no conversations

1 referral to Dr. Weinrick was for  
 2 what?  
 3 A. I don't think he wanted to  
 4 take responsibility for this.  
 5 Q. Well, I don't mean that. Why  
 6 was it not referred to Dr. Bray?  
 7 A. Because she was in the  
 8 hospital.  
 9 Q. All right. Did you have a  
 10 conversation then with Dr. Weinrick  
 11 on or about May 9th of 2006?  
 12 A. Yes.  
 13 Q. What happened during that  
 14 conversation?  
 15 A. I explained the situation to  
 16 her and I also, by that time, had  
 17 received an e-mail from Stacy, which  
 18 I also shared with her. I don't know  
 19 if you have a copy of that or  
 20 whatever.  
 21 Q. We'll get to that. Let's talk  
 22 about your conversation with  
 23 Weinrick.  
 24 A. Well, that was part of my  
 25 conversation with her. You know,

1 what I wanted ---. In other words, I  
 2 didn't collaborate with people except  
 3 for Reinking. You know, what  
 4 evaluation to give Stacy was my  
 5 decision, an academic evaluation  
 6 decision. And I was ready to take  
 7 the responsibility for that. But  
 8 what I wasn't sure of was since she  
 9 put in all that time except for one  
 10 week, whether that was going to have  
 11 any influence on how her status was,  
 12 you know, going to be as far as her  
 13 degree.

14 **Q. What did Weinrick say?**

15 A. Well, she didn't say much  
 16 except that she was going to talk to  
 17 Dr. Bray about it.

18 **Q. So I take it Dr. Bray would be**  
 19 **the final decision maker on whether**  
 20 **Stacy received her Bachelor of**  
 21 **Science in Education degree; correct?**

22 A. Correct.

23 **Q. All right. Did Weinrick say**  
 24 **anything else other than that she**  
 25 **would talk to Dr. Bray?**

1 **Q. Does Millersville maintain a**  
 2 **list of dirty words not to use in the**  
 3 **classroom?**

4 A. No.

5 **Q. Turn to Plaintiff's 50. Did**  
 6 **you ever see this document before?**

7 A. No.

8 **Q. Did you ever hear of a musical**  
 9 **artist by the name of Ben Folds?**

10 A. No.

11 **Q. Now, the first --- second**  
 12 **stanza indicates kiss my ass goodbye;**  
 13 **do you see that?**

14 A. Yes, I do.

15 **Q. Do you believe that ass is an**  
 16 **inappropriate word to use in class?**

17 A. It depends on the context in  
 18 which you use it.

19 **Q. Why? Why does it depend on**  
 20 **the context?**

21 A. Because you try to stay on a  
 22 higher plane. I mean, in literature  
 23 if you're working with a quote ---  
 24 and I assume that in some way you  
 25 could defend this in the same way,

1 A. No. She didn't --- well, by  
 2 that time ---. I'll save it until we  
 3 get to that e-mail.

4 **Q. All right. My question still**  
 5 **remains, did Dr. Weinrick say**  
 6 **anything else of significance about**  
 7 **Stacy and the incident during your**  
 8 **conversation on or about May 9th,**  
 9 **other than what we've discussed?**

10 A. No.

11 **Q. All right. Turn to**  
 12 **Plaintiff's 48, page 2. So your**  
 13 **recollection is that you first saw**  
 14 **these --- this list of unprofessional**  
 15 **behavior/performance in the classroom**  
 16 **on or about May 9th; is that correct?**

17 A. Yes.

18 **Q. Paragraph one, Ms. Snyder**  
 19 **played a song for background music.**  
 20 **Does Millersville instruct its**  
 21 **student teachers regarding**  
 22 **appropriate musical content in the**  
 23 **classroom?**

24 A. Not specifically. Not that I  
 25 know of.

1 you know, that being loyal to the  
 2 context of the material. I think,  
 3 you know, in this sense, maybe she  
 4 could have picked a different song.

5 **Q. You weren't in the classroom**  
 6 **when Ms. Snyder played this song;**  
 7 **correct?**

8 A. That is correct.

9 **Q. Does Millersville have a**  
 10 **policy whereby students have to pre-**  
 11 **listen to the songs?**

12 A. No.

13 **Q. You were aware that during**  
 14 **Stacy's practical she was teaching**  
 15 **Shakespeare; correct?**

16 A. Yes.

17 **Q. Do you have any idea as you**  
 18 **sit here today how many times**  
 19 **Shakespeare uses the word, ass?**

20 A. Many times.

21 **Q. Should Ms. Reinking be**  
 22 **disciplined for not stopping a**  
 23 **reading of Shakespeare because he**  
 24 **uses the word, ass?**

25 A. No.

<p>1      Q. Paragraph 2 of Parent's 48.</p> <p>2      A. Okay.</p> <p>3      Q. Stacy gave an account of her</p> <p>4      Valentine's Day with her boyfriend.</p> <p>5      A. I was in class for that.</p> <p>6      Q. Does Millersville instruct its</p> <p>7      student teachers not to mention their</p> <p>8      significant others in class?</p> <p>9      A. Not specifically.</p> <p>10     Q. There's no policy in effect at</p> <p>11     Millersville, which would forbid</p> <p>12     student teachers from mentioning</p> <p>13     significant others in class; correct?</p> <p>14     A. Correct.</p> <p>15     Q. And this is in regard to a</p> <p>16     conversation about Valentine's Day;</p> <p>17     correct?</p> <p>18     A. As I recall she and her</p> <p>19     boyfriend and her two kids saw her ex</p> <p>20     at I don't know where.</p> <p>21     Q. What exactly is inappropriate</p> <p>22     about that comment?</p> <p>23     A. It's very inappropriate. In a</p> <p>24     straightforward student/teacher</p> <p>25     relationship, it's not something that</p>	<p>1      alone with you and you know, all</p> <p>2      student teachers are told this stuff.</p> <p>3      Chapter and verse, you know, don't</p> <p>4      get too friendly with your students.</p> <p>5      But you know, secondly, I thought it</p> <p>6      was inappropriate because it was</p> <p>7      almost like justifying herself to the</p> <p>8      class, to me, to Reinking. It's okay</p> <p>9      that --- you know, I'm just normal.</p> <p>10     You know, I'm just a normal person</p> <p>11     with a normal family and so forth.</p> <p>12     Q. Are you telling me that</p> <p>13     teachers never mention their husbands</p> <p>14     or wives in class?</p> <p>15     A. No, I'm not saying that at</p> <p>16     all.</p> <p>17     Q. Why would it be permissible</p> <p>18     for a teacher to mention their</p> <p>19     husband and wife in class, but Stacy,</p> <p>20     a single mom, not be allowed to</p> <p>21     mention her ex-husband?</p> <p>22     ATTORNEY KRAMER:</p> <p>23     I'll object. That's</p> <p>24     not what he said at all. He</p> <p>25     actually didn't say that it</p>
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<p>1      is any of the kid's business. You</p> <p>2      know, the personal lives of the</p> <p>3      teacher and the student is of no</p> <p>4      concern. And to me, and I spoke to</p> <p>5      her about that comment, I thought it</p> <p>6      was inappropriate for one reason, is</p> <p>7      that she was trying to get friendly</p> <p>8      with the kids, you know, to try to be</p> <p>9      their buddy. Trying to say, well,</p> <p>10     you know I was at the mall and this</p> <p>11     kind of thing --- which all student</p> <p>12     teachers are told, you don't do that</p> <p>13     kind of thing.</p> <p>14     But particularly, you know,</p> <p>15     because student teachers and frankly,</p> <p>16     many of them --- most of them are</p> <p>17     younger than she was, but I try to</p> <p>18     apply the same standard as if she was</p> <p>19     21. And that is that getting too</p> <p>20     friendly with students can lead to</p> <p>21     all kinds of problems where people</p> <p>22     start to confide in you. They get</p> <p>23     interested in you for reasons other</p> <p>24     than being their teacher. They try</p> <p>25     to get into situations where they're</p>	<p>1      was okay that teachers mention</p> <p>2      their spouses in class.</p> <p>3      BY ATTORNEY VOIGT:</p> <p>4      Q. I believe you did. Is it or</p> <p>5      is not okay for a teacher to mention</p> <p>6      their spouse in class?</p> <p>7      A. It depends on the context. If</p> <p>8      it's the kind of thing where you're</p> <p>9      talking about something personal or</p> <p>10     something other than the lesson --- I</p> <p>11     mean, let's say their husband is a</p> <p>12     fireman and they talk about him and</p> <p>13     his job, there's nothing wrong with</p> <p>14     that. But there is something ---</p> <p>15     teachers have to be good role models.</p> <p>16     And so to talk about your personal</p> <p>17     life to your students is not</p> <p>18     something that --- particularly</p> <p>19     student teachers are warned against.</p> <p>20     And of course, even when</p> <p>21     teachers start their first year of</p> <p>22     practice, you know, there's a don't</p> <p>23     share personal things with your</p> <p>24     students. Be a good role model. And</p> <p>25     I think that fits into this category.</p>
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1 Q. So something about having an  
 2 ex-husband makes Stacy not a good  
 3 role model?  
 4 ATTORNEY KRAMER:  
 5 Objection. That's not  
 6 what he said at all.  
 7 ATTORNEY VOIGT:  
 8 Well, then he can  
 9 explain what he said.  
 10 A. No, I ---.  
 11 BY ATTORNEY VOIGT:  
 12 Q. What is it about this comment  
 13 that makes Stacy not a good role  
 14 model?  
 15 A. Well, I think that the comment  
 16 has to do with, you know, trying to  
 17 be friendly with the students and  
 18 share something from her personal  
 19 life, which I don't think is the  
 20 proper way to model for your  
 21 students. I think you need to model  
 22 the --- I think you need to model the  
 23 kind of dedication to curriculum,  
 24 dedication to the school, dedication  
 25 to teaching, and so forth and keep

1 your personal life out of it. I  
 2 mean, if that had been somebody else  
 3 who had been married and said yeah,  
 4 my wife and I saw your mother out at  
 5 --- I would have said the same kind  
 6 of thing. I mean, it's getting  
 7 personal with the students.  
 8 Q. Is not talking about your  
 9 husband who might be a fireman; isn't  
 10 that getting personal?  
 11 A. No, not if --- if something  
 12 that fits into the curriculum, it's  
 13 okay.  
 14 Q. Paragraph 5 of Plaintiff's 48,  
 15 page 2 begins, twice I warned Ms.  
 16 Snyder to avoid MySpace.com  
 17 discussions. Now, you said that you  
 18 talked to students about not having  
 19 MySpace accounts before the start of  
 20 the semester?  
 21 A. I didn't talk to them. That  
 22 was part of the general presentation  
 23 there. And of course, ---.  
 24 Q. General presentation. What  
 25 general presentation is that?

1 A. Well, when we met our student  
 2 teachers that day. That was a whole  
 3 day of things, an orientation. So  
 4 that was gone over during the  
 5 orientation, somewhere, some way.  
 6 Q. Turn to Plaintiff's Nine.  
 7 This is the outline for the  
 8 orientation. Can you tell me where  
 9 there's any comment at all about  
 10 MySpace or similar websites?  
 11 A. No. There is none here.  
 12 Q. At the time of the incident  
 13 that we're talking about, you would  
 14 agree with me that Millersville had  
 15 no policy regarding student usage of  
 16 MySpace, Facebook, et cetera;  
 17 correct?  
 18 A. Well, they were told at the  
 19 orientation --- I don't know if  
 20 that's a written policy or not.  
 21 Q. You don't know of any written  
 22 policy?  
 23 A. I don't know of a written  
 24 policy. No.  
 25 Q. Paragraph 6 of Plaintiff's 48,

1 page 2, frequently I advised --- you  
 2 kept asking my department supervisor  
 3 instead of asking me. As we  
 4 discussed before, Millersville, in  
 5 fact, instructed its student teachers  
 6 to speak with as many teachers and  
 7 administrators as possible in order  
 8 to get a well-rounded experience out  
 9 of their student-teaching semester;  
 10 correct?  
 11 ATTORNEY KRAMER:  
 12 I'll object to the  
 13 form. It's a very different  
 14 context.  
 15 BY ATTORNEY VOIGT:  
 16 Q. You can answer the question.  
 17 A. What's the question?  
 18 Q. At the start of Stacy's  
 19 student teaching evaluation, was she  
 20 not advised by you that she should  
 21 seek out as many teachers and  
 22 administrators at the cooperating  
 23 school as possible so that she would  
 24 get a well-rounded experience?  
 25 A. I don't think that has

1 anything to do with this paragraph.  
 2 Q. Please, answer the question.  
 3 Was Stacy not advised by you that she  
 4 should seek out other teachers and  
 5 administrators at Conestoga Valley to  
 6 get a well-rounded experience out of  
 7 her student-teaching semester?  
 8 A. Yes.  
 9 Q. Paragraph seven. As far as  
 10 professional dress is concerned; do  
 11 you see that one?  
 12 A. Yes.  
 13 Q. And Millersville did not have  
 14 any dress code for its student  
 15 teachers; did it?  
 16 A. No. They were to follow the  
 17 dress code of the school.  
 18 Q. Are you aware of whether the  
 19 school has a dress code?  
 20 A. No.  
 21 Q. Did you ever see a copy of the  
 22 Conestoga Valley Policies and  
 23 Procedures Manual?  
 24 A. I had earlier. I don't know.  
 25 It's been a year since I saw it, but

1 A. By me.  
 2 Q. Plaintiff's 56. This is an  
 3 e-mail from Stacy to you among others  
 4 dated May 10 of 2006; correct?  
 5 A. Yes.  
 6 Q. And did you receive this?  
 7 A. Yes.  
 8 Q. And I take it you also  
 9 received the letter of apology that  
 10 Stacy attached to it; correct? Next  
 11 page. That's right. You received  
 12 that letter of apology on or about  
 13 May 10 of 2006; correct?  
 14 A. Yes.  
 15 Q. Did you have a conversation  
 16 with Ms. Buffington about this  
 17 apology letter?  
 18 A. She mentioned it on the 11th  
 19 when I went in with Stacy to get Ms.  
 20 Robinson's evaluation.  
 21 Q. And what did she say?  
 22 A. What did Buffington say?  
 23 Q. What did Buffington say about  
 24 this apology letter?  
 25 A. She said it was --- there were

1 I never have something that deals ---  
 2 at one time all the guys had to wear  
 3 ties. And now they've gone by the  
 4 board.  
 5 Q. Do you know whether Stacy ever  
 6 received a copy of the Conestoga  
 7 Valley Teachers Policies and  
 8 Procedures?  
 9 A. I do not.  
 10 Q. You didn't give her one, did  
 11 you?  
 12 A. No.  
 13 Q. Because Stacy was expected to  
 14 follow the Millersville code;  
 15 correct?  
 16 A. She was supposed to follow the  
 17 Conestoga Valley code, whatever that  
 18 was.  
 19 Q. Even though she wasn't given a  
 20 copy of it?  
 21 ATTORNEY KRAMER:  
 22 Object.  
 23 BY ATTORNEY VOIGT:  
 24 Q. Correct? She wasn't given a  
 25 copy of it at least by you; correct?

1 grammatical errors in it. It was  
 2 self-serving. I don't recall much  
 3 else.  
 4 Q. Do you believe this letter is  
 5 self-serving?  
 6 A. Well, I think it overplays her  
 7 attempts to act professional, but it  
 8 also is --- she does say in here  
 9 someplace, that I realize that this  
 10 is all my fault.  
 11 Q. Do you believe that apology is  
 12 somehow insincere on Stacy's part?  
 13 A. Yes.  
 14 Q. Why is that?  
 15 A. Because of the tone.  
 16 Q. Well, what is it about the  
 17 tone of this letter that you  
 18 disapprove of?  
 19 ATTORNEY KRAMER:  
 20 Objection, he didn't  
 21 ---.  
 22 ATTORNEY VOIGT:  
 23 I believe he just did.  
 24 He said that ---.  
 25 ATTORNEY KRAMER:

1 No. He said it was not  
 2 sincere.  
 3 BY ATTORNEY VOIGT:  
 4 Q. All right. What is it about  
 5 the tone of Stacy's letter that you  
 6 find insincere?  
 7 A. Well, it's up in the second  
 8 paragraph, she says, you know, I take  
 9 full responsibility for my actions.  
 10 And then she goes on to say the  
 11 incident has caused me to open my  
 12 eyes and realize that I am the only  
 13 person to blame. And instead of  
 14 leaving it at that, she goes on then  
 15 to try to justify herself in such a  
 16 manner that it seems like she's not  
 17 really apologizing. It seems like  
 18 she's actually rationalizing.  
 19 Q. What is it about this letter  
 20 that you find a rationalization  
 21 specifically?  
 22 A. When you get down to the last  
 23 paragraph, she says, I worked  
 24 diligently inside and outside the  
 25 classroom and goes on with this.

1 Q. Do you believe that Stacy ---?  
 2 A. I'd want to correct all the  
 3 previous problems I encountered.  
 4 Q. Do you believe that Stacy did  
 5 not work diligently in her student  
 6 teaching practical?  
 7 A. You mean during her student  
 8 teaching?  
 9 Q. Yes. Do you believe that  
 10 Stacy did not work diligently?  
 11 A. I think she worked diligently.  
 12 Q. What else did Buffington say  
 13 about Stacy's apology letter dated  
 14 May 10, 2006, during your  
 15 conversation on May 11 of 2006?  
 16 A. About the letter?  
 17 Q. Yeah. What did she say about  
 18 the letter?  
 19 A. Buffington said there were  
 20 grammatical errors in it and she  
 21 thought it was self-serving. I don't  
 22 remember anything else she said.  
 23 Q. What did you say in response  
 24 to Ms. Buffington's comments?  
 25 A. I didn't say anything because

1 I was in there to have a conference  
 2 with Mrs. Reinking and go over Mrs.  
 3 Reinking's evaluation. And  
 4 Buffington came in and wanted to have  
 5 her say. So I left her have her say  
 6 and she left.  
 7 Q. You did not attempt to defend  
 8 Stacy in any fashion; correct?  
 9 A. No.  
 10 Q. Did you have a conversation on  
 11 or about May 11, 2006 with Ms.  
 12 Reinking about this apology letter?  
 13 A. The 11th would have been  
 14 Thursday. Oh, that's the same ---.  
 15 Reinking was there when Buffington  
 16 spoke about the letter, but Reinking  
 17 and I didn't talk about the letter.  
 18 Q. Reinking didn't say anything  
 19 other than what you told me about  
 20 what Buffington said?  
 21 A. I don't recall her saying  
 22 anything.  
 23 Q. How did this meeting end?  
 24 A. After Mrs. Reinking went over  
 25 her Millersville evaluation form,

1 Stacy had a few questions about  
 2 materials, you know, we needed to  
 3 take with us and that was about it.  
 4 Q. Okay. Did you have a  
 5 conversation with Ms. Bray about this  
 6 Snyder apology letter dated May 10,  
 7 2006?  
 8 A. No.  
 9 Q. Did you have a conversation  
 10 with Ms. Weinrick about this letter?  
 11 A. Yes, I think it was something  
 12 that she had access to. I'm not sure  
 13 we discussed it from ---.  
 14 Q. Well, give it some thought for  
 15 a minute. I need --- I sense that  
 16 your last answer wasn't equivocal.  
 17 Do you remember whether you had a  
 18 conversation with Ms. Weinrick about  
 19 this letter from Stacy?  
 20 A. As I recall, I did mention the  
 21 letter and mentioned Mrs.  
 22 Buffington's response to it.  
 23 Q. And what did Ms. Weinrick say?  
 24 A. I don't recall.  
 25 Q. Turn to Plaintiff's 52. Have

1       **you ever seen this document before?**  
 2       A. Yes.  
 3       **Q. When did you see it?**  
 4       A. I'm not sure. Probably on the  
 5       11th, but I'm not sure.  
 6       **Q. That would be May 11th of**  
 7       **2006?**  
 8       A. Yeah. Yes.  
 9       **Q. Did Ms. Buffington give you**  
 10      **this document?**  
 11      A. Yes.  
 12      **Q. Did she just hand it to you?**  
 13      A. Yes.  
 14      **Q. Was it during your meeting on**  
 15      **May 11th that she handed this to you?**  
 16      A. I think so.  
 17      **Q. Did you discuss this e-mail or**  
 18      **this document?**  
 19      A. No.  
 20      **Q. Did you read it during the**  
 21      **meeting?**  
 22      A. No. I didn't read it until I  
 23      left.  
 24      **Q. That last sentence reads, it**  
 25      **will be no surprise to me if our**

1       **teachers we have at CV right now, but**  
 2       **I would guess that there hasn't been**  
 3       **one iota of difference over this**  
 4       **situation.**  
 5       **Q. And that's because Stacy was**  
 6       **not given her Bachelor of Science in**  
 7       **Education degree; correct?**  
 8       ATTORNEY KRAMER:  
 9       I'll object.  
 10      ATTORNEY VOIGT:  
 11      Withdrawn.  
 12      BY ATTORNEY VOIGT:  
 13      **Q. How many students --- you said**  
 14      **there were three students at ---**  
 15      **three student teachers from**  
 16      **Millersville at Conestoga Valley?**  
 17      A. Well, there were a lot more  
 18      than that. I just supervised three  
 19      of them.  
 20      **Q. Okay. How many student**  
 21      **teachers were there at Millersville**  
 22      **--- strike that.**  
 23      **How many student teachers did**  
 24      **Millersville place at Conestoga**  
 25      **Valley during the spring 2006**

1       **excellent teachers here at CV do not**  
 2       **volunteer again to serve as**  
 3       **cooperating teachers for Millersville**  
 4       **students. Do you see that?**  
 5       A. Yes.  
 6       **Q. Was that a concern to you when**  
 7       **you read that?**  
 8       A. No.  
 9       **Q. Why not?**  
 10      A. Well, because Conestoga Valley  
 11      has over 4,000 students. That's four  
 12      elementary schools, a middle school,  
 13      and high school with nine  
 14      departments, so what you're talking  
 15      about is there are nine English  
 16      teachers at the high school who,  
 17      after the experience of Stacy being  
 18      there, may be affected by this. But  
 19      it wasn't going to be something that  
 20      would throw a scare into  
 21      Millersville.  
 22      To me it seemed like an  
 23      isolated thing and I haven't  
 24      obviously done the research to go  
 25      back and see how many student

1       **semester?**  
 2       A. I don't know.  
 3       **Q. Was it more than ten?**  
 4       A. You mean in the whole system?  
 5       **Q. Yes.**  
 6       A. Oh, geez.  
 7       ATTORNEY KRAMER:  
 8       If you don't know, say  
 9       you don't know.  
 10      A. I don't know.  
 11      BY ATTORNEY VOIGT:  
 12      **Q. All right.**  
 13      A. It would just be a guess.  
 14      There's elementary, there's  
 15      secondary.  
 16      A. Right.  
 17      **Q. You've been doing this for a**  
 18      **long time; right?**  
 19      A. Yeah.  
 20      **Q. How many ---?**  
 21      A. Yes.  
 22      **Q. How many teachers --- strike**  
 23      **that.**  
 24      **How many schools does**  
 25      **Millersville place student teachers**

1 at; do you know?  
 2 A. Dozens.  
 3 Q. Dozens. How far away is  
 4 Conestoga Valley from Millersville?  
 5 A. It's about eight miles.  
 6 Q. It's probably the closest  
 7 school, one of the closest schools?  
 8 A. One of the closest. The  
 9 closest is Penn Manor which is right  
 10 here in Millersville.  
 11 Q. But Conestoga Valley is right  
 12 next to Penn Manor.  
 13 A. Close.  
 14 Q. It's a close school. And you  
 15 were aware at the time that you  
 16 received this note from Ms.  
 17 Buffington that Kim Seldomridge was  
 18 involved in this situation; correct?  
 19 A. Yes.  
 20 Q. And you understood at the time  
 21 that Kim Seldomridge was the acting  
 22 superintendent; is that correct?  
 23 A. Yeah. The superintendent was  
 24 only gone for a couple of days so she  
 25 was acting superintendent.

1 Stacy on May 10th of 2006; correct?  
 2 A. Yes.  
 3 Q. Describe that conversation,  
 4 please.  
 5 A. Well, as I said, the first  
 6 time I talked to her, I'm not sure I  
 7 even knew what was going on. Because  
 8 I didn't know whether that was before  
 9 or after I went over to the high  
 10 school. But by this time, I had an  
 11 idea, and I told her and I referred  
 12 specifically to the e-mail that she  
 13 sent me on the 9th that we haven't  
 14 got to yet, that I had a lot of  
 15 problems as far as professionalism  
 16 was concerned and working on my  
 17 evaluation.  
 18 Q. Did you tell Stacy you had  
 19 problems with her professionalism?  
 20 A. Yes.  
 21 Q. Now, even though you wrote you  
 22 evaluated Stacy with a G in  
 23 professionalism for her mid-  
 24 evaluation?  
 25 A. A G on the Millersville form

1 Q. And you would agree with me  
 2 that the acting superintendent has  
 3 the authority to approve or  
 4 disapprove of the placement of  
 5 student teachers by Millersville?  
 6 ATTORNEY KRAMER:  
 7 Object. I don't know  
 8 that he's ---.  
 9 ATTORNEY VOIGT:  
 10 Whether ---.  
 11 ATTORNEY KRAMER:  
 12 That's Conestoga Valley  
 13 information.  
 14 ATTORNEY VOIGT:  
 15 Well, maybe, maybe not.  
 16 BY ATTORNEY VOIGT:  
 17 Q. Do you believe that the  
 18 superintendent at Conestoga Valley  
 19 School District has the authority to  
 20 bar student teachers from  
 21 Millersville?  
 22 A. Yes.  
 23 Q. Turn to Plaintiff's 100,  
 24 please. Page 6, paragraph 27. Okay.  
 25 It looks like you next spoke with

1 and an S on the 430, yes.  
 2 Q. Turn to Plaintiff's 49. I  
 3 think that's the e-mail that you're  
 4 talking about.  
 5 A. Okay. I'm with you.  
 6 Q. Did you receive this e-mail on  
 7 or about May 9th?  
 8 A. Yes, I did.  
 9 Q. Did you respond to it?  
 10 A. I did not e-mail back. So no,  
 11 since I did not respond.  
 12 Q. All right. Do you think this  
 13 e-mail was inappropriate in some  
 14 fashion?  
 15 A. Yes.  
 16 Q. What was inappropriate about  
 17 it?  
 18 A. Well, she admits that she had  
 19 finally changed her MySpace account  
 20 so everybody couldn't get on it. And  
 21 which was, to me, stupid because that  
 22 was closing the door after the horse  
 23 was out. She's saying to prove that  
 24 I didn't do anything wrong, now only  
 25 selected persons can get on there.

1 She also --- there was something else  
 2 here.  
 3 Q. Let me ask you question. Near  
 4 the bottom of the page it says, if  
 5 MySpace, Xanga and Facebook sites are  
 6 such a big deal to school staff  
 7 members, why doesn't MU or school  
 8 district have a policy that tells all  
 9 teachers to delete them before they  
 10 teach, question mark? Do you agree  
 11 with that statement? Bottom of the  
 12 first page.  
 13 A. Yeah.  
 14 Q. Do you agree with that  
 15 statement?  
 16 A. It's a legitimate question.  
 17 Q. Okay. The next sentence. I  
 18 had my MySpace account months before  
 19 student teaching, and the only things  
 20 that were ever brought up to us in  
 21 Junior Block was a warning, do not  
 22 post comments about staff members and  
 23 students, which I didn't. Do you  
 24 agree with that?  
 25 A. I agree with it and I think

1 there's one of her major violations.  
 2 Where it says do not post comments  
 3 about staff members and students,  
 4 which I didn't. And she didn't  
 5 mention Mrs. Reinking, but she might  
 6 as well have. To me, that's a big  
 7 red flag in this thing.  
 8 And also another reason, they  
 9 asked me previously about my --- what  
 10 I --- what did you ask me, what I  
 11 thought of this or how it was?  
 12 Q. Yes. What do you think of  
 13 this?  
 14 A. Well, when you go back to this  
 15 part where she criticizes her co-op,  
 16 I don't want to have another student  
 17 teacher have to go through this. I'm  
 18 sorry I didn't say something sooner,  
 19 and maybe there is nothing they can  
 20 do about it now. She never said one  
 21 word to me about problems with  
 22 Reinking. And to me, this was an  
 23 attempt to put all the blame on Mrs.  
 24 Reinking. As she probably read  
 25 through this thing. She said, you

1 know, that I was a great supervisor  
 2 and all that. And to me it was  
 3 looking for an excuse to blame her  
 4 problems on and Mrs. Reinking and of  
 5 course do not mention her but imply  
 6 her in that earlier e-mail. And to  
 7 me, this was much more important than  
 8 that picture. And to me I felt, in  
 9 my professional judgment, that if  
 10 this isn't non-professional and  
 11 unethical, then I don't know that  
 12 is.  
 13 Q. All right. So student  
 14 teachers are not permitted to  
 15 criticize their cooperating teachers?  
 16 A. I didn't say that.  
 17 Q. Okay. And that would be  
 18 because Millersville doesn't want to  
 19 jeopardize its relationship with the  
 20 supervising school?  
 21 ATTORNEY KRAMER:  
 22 Objection. That's not  
 23 what he said.  
 24 A. You know, I had said  
 25 previously that when student teaching

1 started, I said to these student  
 2 teachers, if you have any problems  
 3 with your co-op, if you have any  
 4 problems at all, that I need to know  
 5 about it. E-mail me, call me up, I'm  
 6 available 24/7 and she never said  
 7 anything about problems with  
 8 Reinking.  
 9 BY ATTORNEY VOIGT:  
 10 Q. Now, you observed Ms. Snyder  
 11 and Ms. Reinking interacting on many  
 12 occasions; is that correct?  
 13 A. Yes.  
 14 Q. You observed Ms. Snyder and  
 15 Ms. Reinking interacting ---  
 16 A. Yes.  
 17 Q. --- in the classroom? Is it  
 18 your testimony that Ms. Snyder and  
 19 Ms. Reinking got along well during  
 20 the classroom experience?  
 21 A. Yes.  
 22 Q. At the bottom of P-49, under  
 23 number two, Stacy says, if this shows  
 24 a flaw in my character, why is it  
 25 being brought up during my final week

1       of teaching.  
 2   **Why is it being brought up**  
 3       only in her final week of teaching?  
 4   ATTORNEY KRAMER:  
 5   I'll object. It calls  
 6       for speciation because he  
 7       didn't bring it up. You can  
 8       attempt to answer the  
 9       question.  
 10   ATTORNEY VOIGT:  
 11   Okay. Go ahead and  
 12       answer.  
 13   BY ATTORNEY VOIGT:  
 14   **Q. Do you know why all of this**  
 15       **business about MySpace and Facebook**  
 16       **was brought up only in Stacy's final**  
 17       **week of teaching?**  
 18   ATTORNEY KRAMER:  
 19   Object. It also  
 20       assumes it was not brought up  
 21       before.  
 22   BY ATTORNEY VOIGT:  
 23   **Q. Go ahead.**  
 24   A. Well, it was brought up  
 25       before. Mrs. Reinking, back in one

1       of those paragraphs we looked at  
 2       earlier, had warned her not to  
 3       mention her account to the students.  
 4       And so, you know, in that sense, it  
 5       was brought up before. You know, the  
 6       timing of this thing came about,  
 7       basically, by the fact that Ms.  
 8       Snyder mentioned in her class about  
 9       her MySpace and how one of her  
 10       students was on there and that  
 11       prompted one of the teachers to go  
 12       look at the thing. So I mean, ---.  
 13   **Q. Which teacher was that?**  
 14   A. I don't know. I was never  
 15       told which teacher it was.  
 16   **Q. So you heard from Ms. Reinking**  
 17       **that an unnamed teacher heard in**  
 18       **class that ---.**  
 19   A. No. No. No. Ms.  
 20   Reinking heard in class Ms. Snyder  
 21       talking about her MySpace account and  
 22       some student had got on her MySpace  
 23       account. That's what I said.  
 24   **Q. Okay.**  
 25   A. All right. After that one of

1       faculty went and got on and that's  
 2       where they ---.  
 3       **Q. You don't know which faculty**  
 4       **member got on MySpace account?**  
 5       A. I don't know.  
 6       **Q. Turn to Parent's (sic) 58.**  
 7       **This is your final evaluation; is**  
 8       **that correct?**  
 9       A. That would be the Millersville  
 10       form, yes.  
 11       **Q. And you rated Stacy competent**  
 12       **or superior in all areas except for**  
 13       **professionalism; correct?**  
 14   ATTORNEY KRAMER:  
 15   I'll object. The  
 16       document speaks for itself.  
 17   ATTORNEY VOIGT:  
 18   You can answer.  
 19       A. What was the question?  
 20   BY ATTORNEY VOIGT:  
 21   **Q. You rated Stacy competent or**  
 22       **superior in all areas except**  
 23       **professionalism; right? Preparation,**  
 24       **teaching performance, effect on**  
 25       **student learning and English specific**

1       **items; right?**  
 2       A. Yes.  
 3       **Q. And several of these areas**  
 4       **were improvement from the mid-**  
 5       **evaluation; correct?**  
 6       A. That is correct.  
 7       **Q. Okay. So Stacy's in-depth**  
 8       **knowledge of the subject matter had**  
 9       **gone from an unsatisfactory to a**  
 10       **competent; correct? Number eight?**  
 11       A. Yes.  
 12       **Q. Yet, you found Stacy**  
 13       **unprofessional in all areas of**  
 14       **professionalism; right?**  
 15       A. Yes.  
 16       **Q. All right.**  
 17       A. Well, not all areas.  
 18       **Q. Except for dispositions?**  
 19       A. It demonstrates a belief that  
 20       all students include student with  
 21       disabilities, five.  
 22       **Q. Turn to Plaintiff's 67.**  
 23   ATTORNEY KRAMER:  
 24       Do you want to take a  
 25       break?

1 ATTORNEY VOIGT:  
 2 Do you want to take a  
 3 break?  
 4 ATTORNEY KRAMER:  
 5 No.  
 6 ATTORNEY VOIGT:  
 7 All right. We'll keep  
 8 muddling through.  
 9 BY ATTORNEY VOIGT:  
 10 Q. Plaintiff's 67. Chapter 235,  
 11 Code of Professional Practice. Is  
 12 this the Ethic's Code that you refer  
 13 to in your final evaluation?  
 14 A. Yeah, I think so. I refer  
 15 specifically to different sections of  
 16 it.  
 17 Q. You refer to section 4B7 which  
 18 is on page three of five. Okay.  
 19 A. Okay.  
 20 Q. Professional educators shall  
 21 exhibit acceptable and professional  
 22 language and communication skills.  
 23 Their verbal and written  
 24 communications with parents, students  
 25 and staff shall reflect sensitivity

1 communication skills when responding  
 2 to an issue within the educational  
 3 environment. Do you believe that  
 4 Stacy's posting a photo and text on  
 5 her MySpace account outside of class  
 6 impacts on the educational  
 7 environment?  
 8 A. I don't --- I would say it's  
 9 poor judgment, but ---.  
 10 Q. Okay. Turn to Plaintiff's 14.  
 11 ATTORNEY VOIGT:  
 12 Actually, I will take a  
 13 break. Let's take a break.  
 14 SHORT BREAK TAKEN  
 15 BY ATTORNEY VOIGT:  
 16 Q. Parent's (sic) 14. This is  
 17 Weinrick notes regarding conversation  
 18 with you on May 11 of '06.  
 19 A. Correct.  
 20 Q. Have you ever seen this  
 21 before?  
 22 A. Yes.  
 23 Q. All right. Does this document  
 24 accurately --- does it accurately  
 25 reflect your conversation?

1 to the fundamental human rights of  
 2 dignity, privacy and respect. And  
 3 you believe that Ms. Snyder's conduct  
 4 in posting a photo of herself on  
 5 MySpace violates that?  
 6 A. No.  
 7 ATTORNEY KRAMER:  
 8 I ---.  
 9 BY ATTORNEY VOIGT:  
 10 Q. Okay. You don't believe that?  
 11 A. No.  
 12 Q. All right. Well, what about  
 13 Ms. Snyder's conduct do you believe,  
 14 if anything, violates Section 4B7?  
 15 A. I think I've already covered  
 16 that. It was a whole range of  
 17 things, but the comments under the  
 18 picture and the comments in the e-  
 19 mail that she sent me on the 9th  
 20 would be, to me, much more important  
 21 than the picture.  
 22 Q. And number eight, 4B8.  
 23 Professional educators shall be open-  
 24 minded, knowledgeable and use  
 25 appropriate judgment and

1 A. Yes.  
 2 Q. Now, the bottom of the first  
 3 page, it says, satisfy MU  
 4 requirements. Did you say that?  
 5 A. That refers to the statement  
 6 above that she was told that she  
 7 needed to make some improvements.  
 8 That refers to the middle --- mid-  
 9 placement, which is the sentence  
 10 right before that. So yes, in the  
 11 mid-placement, she was told that she  
 12 needed to get those requirements ---  
 13 Q. All right.  
 14 A. --- done.  
 15 Q. Page two of Plaintiff's 14.  
 16 You mentioned that the acting  
 17 superintendent, Kim Seldomridge,  
 18 became involved; correct?  
 19 A. Yes.  
 20 Q. This was the first incident in  
 21 which a superintendent became  
 22 involved in the status of a student  
 23 teacher; correct? At least, in your  
 24 experience; right?  
 25 A. In my experience, yes.

1     Q. Okay. Turn to Plaintiff's  
 2     Ten. This is notes from Weinrick  
 3     regarding a conversation she had with  
 4     Buffington.  
 5     ATTORNEY KRAMER:  
 6     I'll object. I don't  
 7       think it says Weinrick on  
 8       here.  
 9     ATTORNEY VOIGT:  
 10    Okay. Well, it's a  
 11      note from someone.  
 12    ATTORNEY KRAMER:  
 13    It doesn't say.  
 14    ATTORNEY VOIGT:  
 15    All right.  
 16    BY ATTORNEY VOIGT:  
 17    Q. And it says middle. Her  
 18      behavior was the straw that broke the  
 19      camel's back; do you see that?  
 20    A. Yes.  
 21    Q. Did either Buffington or  
 22      Weinrick ever tell you that the  
 23      drunken pirate incident was the straw  
 24      that broke the camel's back regarding  
 25      Stacy's future?

1     A. No, not as far what rating we  
 2     were going to give her. We had  
 3     arranged to --- we had earlier  
 4     arranged to go over her evaluation  
 5     with her, I think, on Friday of that  
 6     week, but we had to do it on  
 7     Thursday. I didn't have mine  
 8     finished and I didn't want to take  
 9     that much time in there anyway, so  
 10    this is --- when we went, this is the  
 11    first time I saw her evaluation and I  
 12    had no input into it.  
 13    Q. All right. Turn to  
 14      Plaintiff's Exhibit 100 in the other  
 15      book.  
 16    A. Okay.  
 17    Q. Page 6, paragraph 35. On May  
 18      11th you met with Stacy, Reinking and  
 19      Buffington; is that correct?  
 20    A. Buffington come in, had her  
 21      say and left. She wasn't there when  
 22      we went over the evaluation.  
 23    Q. Okay. Prior to that meeting,  
 24      did you speak with Buffington about  
 25      the conduct of the meeting?

1     A. No.  
 2     Q. Turn to Plaintiff's 58. Mrs.  
 3     Reinking's final eval.  
 4     A. Millersville form.  
 5     Q. Why was Reinking using a  
 6     Millersville form?  
 7     A. Because that's the only form  
 8     she used. I was the only one that  
 9     used the 430.  
 10    Q. Well, actually Reinking is on  
 11      P-59.  
 12    A. Well, that's mine on 58.  
 13    Q. And Reinking also rated Stacy  
 14      unsatisfactory in professionalism;  
 15      correct?  
 16    A. Correct.  
 17    Q. Did you speak with Ms.  
 18      Reinking about this final eval?  
 19    ATTORNEY KRAMER:  
 20    At any time or before  
 21      or after?  
 22    BY ATTORNEY VOIGT:  
 23    Q. Well, at the time that it was  
 24      prepared? At or near the time it was  
 25      prepared?

1     A. When she was talking to me on  
 2     the phone, I guess it was Monday.  
 3     Q. What day was that? Like the  
 4     8th?  
 5     A. The 8th. I believe she  
 6     mentioned that she wanted to say  
 7     something when we got together, but  
 8     I'm not sure it was then. She may  
 9     have just popped in for all I know.  
 10    Q. All right. Did you speak to  
 11      Reinking before the meeting started  
 12      about the conduct of the meeting?  
 13    A. Yeah, I talked to her on the  
 14      phone. It was pretty much about ---.  
 15    Q. When was that? When did you  
 16      talk to her on the phone?  
 17    A. I think it was on the 9th. It  
 18      might have been the 10th, but ---.  
 19    Q. What did you say?  
 20    A. Well, I said, what would be a  
 21      good time for us to come in and I  
 22      related some questions that were in  
 23      that e-mail that we went over  
 24      previously about Stacy's questions  
 25      about materials, you know, papers to

1 be graded and papers to be given back  
 2 and all that kind of stuff. But we  
 3 --- that was about it.  
 4 **Q. During either of your**  
 5 **conversations, the one with**  
 6 **Buffington or the one with Reinking,**  
 7 **was the subject of the withholding of**  
 8 **Stacy's Bachelor of Science in**  
 9 **Education degree discussed?**  
 10 A. No.  
 11 Q. **Describe the meeting on the**  
 12 **11th.**  
 13 ATTORNEY KRAMER:  
 14 Objection. Asked and  
 15 answered. I think he's gone  
 16 into some detail about that.  
 17 ATTORNEY VOIGT:  
 18 No. These were  
 19 all conversations that took  
 20 place prior to this May 11th  
 21 meeting.  
 22 ATTORNEY KRAMER:  
 23 No, he discussed the  
 24 May 11th meeting. But if  
 25 there are additional matters

1 Reinking wanted to ---.  
 2 **Q. Why did you believe that was**  
 3 **an indictment of you?**  
 4 A. Well, because I would be the  
 5 one that would remove her. I mean,  
 6 it kind of made me angry because if  
 7 she felt that way, she should have  
 8 come to me.  
 9 **Q. And she didn't?**  
 10 A. She didn't. No.  
 11 Q. Now, during this meeting, the  
 12 **subject of Stacy's degree didn't come**  
 13 **up; is that what you are saying?**  
 14 A. Not --- the degree didn't come  
 15 up. No.  
 16 **Q. Well, what ---? Did Stacy ask**  
 17 **any questions during that meeting**  
 18 **about what degree she was going to**  
 19 **get?**  
 20 A. No, not at that meeting.  
 21 Q. Didn't anybody mention it that  
 22 **this was going to deny Stacy her**  
 23 **Bachelor of Science in Education**  
 24 **degree?**  
 25 ATTORNEY KRAMER:

1 that relate, you certainly can  
 2 to do that.  
 3 ATTORNEY VOIGT:  
 4 I don't believe we  
 5 discussed it, but go ahead.  
 6 A. Well, we did. I said that on  
 7 May 11th, that's when Stacy and I  
 8 went over to CV and Buffington came  
 9 in, talked to her about three minutes  
 10 and left.  
 11 BY ATTORNEY VOIGT:  
 12 Q. All right. What did  
 13 Buffington say during her three  
 14 minutes?  
 15 A. Well, as I said previously,  
 16 she said that she felt that Stacy had  
 17 acted unprofessionally. She said  
 18 that she had a lack of knowledge of  
 19 content which she said even in this  
 20 letter of apology, shows poor  
 21 grammar. She said something to the  
 22 effect that Stacy should have been  
 23 removed, which I took as kind of  
 24 indictment of me. But as I said  
 25 previous, I had offered to remove and

1 Object. Form. You can  
 2 try to answer.  
 3 ATTORNEY VOIGT:  
 4 You can answer.  
 5 A. It was the certification that  
 6 was discussed not what degree.  
 7 BY ATTORNEY VOIGT:  
 8 Q. Okay. Well, what was  
 9 discussed regarding Stacy's  
 10 certification? Just that she was not  
 11 going to pass her practical; right?  
 12 A. If she did not receive a  
 13 satisfactory on the 430 for  
 14 professionalism, she couldn't be  
 15 certified. Now, that was my academic  
 16 evaluation. I didn't collaborate  
 17 with anybody and that was mine. As  
 18 far as whether she was going to  
 19 receive any degree, a BS or a BA or  
 20 whatever, I had no idea where to go  
 21 with that. And so I put that right  
 22 in the hands of Doctor Weinrick and  
 23 Doctor --- or the dean.  
 24 Q. The dean would be Bray; is  
 25 that correct?

1 A. Correct. Yeah.	1 possibility that Stacy could repeat
2 Q. Was there ever any discussion	2 her student teaching assignment at a
3 about having Stacy repeat her	3 different school?
4 practical?	4 A. No.
5 A. I don't think at that time.	5 Q. Why not?
6 Q. Why not?	6 A. I don't know why not. It just
7 A. I don't know why not. I don't	7 didn't come up. I mean, you keep
8 recall it being discussed.	8 saying a different school. Why do
9 Q. Have you ever had a situation	9 you say a different school? There
10 where a student teacher had to repeat	10 was nothing to prevent her from going
11 their practical?	11 to a different school and continue
12 A. Yes.	12 her student teaching.
13 Q. How many times has it	13 Q. Was that your understanding,
14 happened?	14 that there was nothing to prevent her
15 A. I have only known it to happen	15 from repeating her student teaching?
16 once with my own student teachers,	16 A. At a different school?
17 but ---.	17 Q. Yes.
18 Q. Was that at Millersville that	18 A. Yeah, there would be nothing
19 the student teacher repeated their	19 to prevent her.
20 student teaching evaluation?	20 Q. Even though Stacy would no
21 A. Yes.	21 longer be enrolled at Millersville?
22 Q. Did that student teacher	22 She could just knock on the door of a
23 eventually get certified?	23 neighboring school and ask to be a
24 A. Yes.	24 student teacher; is that your
25 Q. Yet it never crossed your mind	25 understanding?

1 to have Stacy repeat her student	1 ATTORNEY KRAMER:
2 teaching program at another school?	2 Objection. It calls
3 ATTORNEY KRAMER:	3 for speculation.
4 Objection. It's not	4 A. I thought you meant another
5 what he said.	5 university.
6 ATTORNEY VOIGT:	6 BY ATTORNEY VOIGT:
7 Then he can explain.	7 Q. So you're ---.
8 ATTORNEY KRAMER:	8 A. At another university. That's
9 Ask the question.	9 what I thought you were talking
10 BY ATTORNEY VOIGT:	10 about. Go to another university.
11 Q. Did it cross your mind that	11 That's what I thought you asked.
12 Stacy might be able to repeat her	12 Q. So your idea is that Stacy
13 student teaching assignment at	13 would go another state school and
14 another school and receive her	14 start all over?
15 certification?	15 A. That's what I --- I thought
16 A. Yes.	16 that's what you were asking me when
17 Q. When did it cross your mind?	17 you said another school. I didn't
18 A. Well, I just felt that in	18 realize you were talking about
19 spite of everything that went wrong	19 another high school.
20 with this semester, that she had	20 Q. Okay.
21 worked at it and she did like kids,	21 A. I thought you meant another
22 you know. And I wasn't sure that,	22 institution, another ---.
23 you know, she wouldn't continue.	23 Q. Okay. Well, let me rephrase
24 Q. Did you discuss with either	24 that. Did you or did you not
25 Doctor Weinrick or Doctor Bray the	25 consider the possibility of having

1       **Stacy, while still a Millersville's**  
 2       **student, repeat a student teacher**  
 3       **assignment at another high school?**  
 4       A. Yes, I did consider it.  
 5       Q. And did you discuss that  
 6       possibility with either Doctor Bray  
 7       or Doctor Weinrick?  
 8       A. I never talked to Doctor Bray  
 9       about it, but Doctor Weinrick ---. I  
 10      think it came up in a conversation,  
 11      but maybe that might be a  
 12      possibility, and that's about all I  
 13      remember.  
 14      Q. What did Doctor Weinrick say  
 15      in response to your raising that  
 16      subject?  
 17      A. I'm not sure I even raised it.  
 18      I think ---. The real question was  
 19      what grade I was going to give her.  
 20      I needed to be told whether they were  
 21      going to do --- what they were going  
 22      to do with that student teaching.  
 23      That's a lot of credits. You know,  
 24      that's 12 credits. Now, so my  
 25      question to Doctor Weinrick was,

1       everything else that happened, I felt  
 2       she liked kids. So I didn't, you  
 3       know, I say that I think she should  
 4       get a withdrawal if she's not going  
 5       to be ---.  
 6       Q. Just so we're clear. During  
 7       this conversation with Doctor  
 8       Weinrick, you did not raise the  
 9       subject of having Stacy repeat her  
 10      student teaching practical at another  
 11      high school while still enrolled at  
 12      Millersville?  
 13      A. I don't recall exactly. I may  
 14      have. I may have said, you know,  
 15      maybe she'll, you know, repeat it. I  
 16      don't recall.  
 17      Q. Whose decision would it be to  
 18      allow Stacy to repeat her student  
 19      teaching practical while still  
 20      enrolled at Millersville at another  
 21      high school?  
 22      A. Doctor Bray.  
 23      Q. Doctor Bray. Not Weinrick?  
 24      Doctor Bray?  
 25      A. Doctor Bray. I mean, Doctor

1       where are you going with this? Does  
 2       she have enough credits otherwise to  
 3       give her a BS, you know, without her  
 4       certification, or doesn't she? And I  
 5       told her my feeling was that if they  
 6       weren't going to give her credit for  
 7       that time, in any manner, then I felt  
 8       I should give her a withdraw from  
 9       student teaching as opposed to an F  
 10      because --- well, for a couple of  
 11      reasons.  
 12      One, if you have an F, it's  
 13      like a brand. You never get rid of  
 14      it. I mean, you can repeat  
 15      something, but you still have the F  
 16      regardless of where she went from  
 17      there. Whether she continued her  
 18      education or whatever, that would be  
 19      like a weight on her back, which I  
 20      didn't think she deserved having, I  
 21      felt, worked at the situation even  
 22      though it didn't work out.  
 23      You know and as I said before,  
 24      I wasn't sure that --- I mean, I felt  
 25      she worked at it and beyond

1       Weinrick was only involved in this  
 2       because Doctor Bray was in the  
 3       hospital. So that's why I was  
 4       talking to Doctor Weinrick.  
 5       Q. All right.  
 6       A. Weinrick then talked to Bray,  
 7       the dean.  
 8       Q. The dean would be Doctor Bray?  
 9       A. Yes.  
 10      Q. Okay. Turn to Plaintiff's 20,  
 11      page 5. This is the academic major  
 12      form.  
 13      A. Twenty (20) you say?  
 14      Q. Yes.  
 15      A. All right.  
 16      Q. Plaintiff's 20, page 5.  
 17      A. Yes, I have it.  
 18      Q. Page five.  
 19      A. Page five.  
 20      Q. This is the academic major  
 21      form which changed Stacy from a BSE  
 22      to BA in English.  
 23      A. Okay. I got it.  
 24      Q. All right. Did you have any  
 25      input into this form?

1 A. None.  
 2 Q. All right. Who would have had  
 3 input into to this form?  
 4 A. Well, the way I understand it,  
 5 this was an agreement between Doctor  
 6 Bray and the English Department.  
 7 Q. So Stacy was not involved in  
 8 this decision; correct?  
 9 ATTORNEY KRAMER:  
 10 Objection. It calls  
 11 for speculation.  
 12 BY ATTORNEY VOIGT:  
 13 Q. If you know?  
 14 ATTORNEY KRAMER:  
 15 Don't guess. If you  
 16 don't know, you don't know.  
 17 A. I don't know.  
 18 BY ATTORNEY VOIGT:  
 19 Q. Okay. All right. You are  
 20 not aware of any policy or procedure  
 21 at Millersville allowing for the  
 22 switching of BA in English for a BSE;  
 23 correct?  
 24 A. Correct.  
 25 Q. That was just sort of ad hoc

1 For other forms, but  
 2 for the PDE 430.  
 3 A. So what was the question?  
 4 BY ATTORNEY VOIGT:  
 5 Q. You rated Stacy superior or  
 6 satisfactory in all areas except  
 7 professionalism; right?  
 8 A. Yes.  
 9 Q. On the first page, you  
 10 indicate that Stacy violated federal  
 11 laws and regulations. Which federal  
 12 laws do you believe Stacy broke?  
 13 ATTORNEY KRAMER:  
 14 Where are you looking?  
 15 ATTORNEY VOIGT:  
 16 Bottom of the exhibit  
 17 which is P-57. No, P-50 ---.  
 18 Yeah, P-57, page ---.  
 19 A. Page what?  
 20 BY ATTORNEY VOIGT:  
 21 Q. P-57, page 4. It says that  
 22 Stacy --- or you say that Stacy  
 23 violated Federal laws and  
 24 regulations. I'm just curious which  
 25 ones.

1 in this?  
 2 ATTORNEY KRAMER:  
 3 Objection. It calls  
 4 for speculation. You can  
 5 answer.  
 6 A. I wasn't involved in this.  
 7 That's why I take objection to all  
 8 this collaboration in this thing for  
 9 me because my job is to do my job  
 10 academically and do my evaluation and  
 11 that was it. I'm not a policy maker.  
 12 I'm an adjunct in the structure.  
 13 BY ATTORNEY VOIGT:  
 14 Q. Turn to Plaintiff's 57. This  
 15 is the PDE form 430 that you  
 16 prepared; is that correct?  
 17 A. It looks like it. Yes.  
 18 Q. And you rated Stacy superior  
 19 or satisfactory in all areas except  
 20 professionalism; right?  
 21 A. I rated her ---.  
 22 ATTORNEY KRAMER:  
 23 Objection. Asked and  
 24 answered.  
 25 ATTORNEY VOIGT:

1 ATTORNEY KRAMER:  
 2 Objection. That's not  
 3 what it says.  
 4 ATTORNEY VOIGT:  
 5 Well, ---.  
 6 ATTORNEY KRAMER:  
 7 That's not at all what  
 8 it says.  
 9 BY ATTORNEY VOIGT:  
 10 Q. Okay. It says local state and  
 11 federal laws and regulations.  
 12 ATTORNEY KRAMER:  
 13 Well, it's actually  
 14 part of a larger sentence.  
 15 ATTORNEY VOIGT:  
 16 Well, the sentence says  
 17 what it says.  
 18 BY ATTORNEY VOIGT:  
 19 Q. Do you believe that Stacy  
 20 violated any federal laws?  
 21 A. I believe that she violated  
 22 the law in regard to integrity and  
 23 ethical conduct.  
 24 Q. All right. Turn to Exhibit  
 25 24. Do you recognize these children?

1 A. No.  
 2 ATTORNEY KRAMER:  
 3 Off the record.  
 4 OFF RECORD DISCUSSION  
 5 BY ATTORNEY VOIGT:  
 6 Q. Were you aware at the time  
 7 that you took these actions, in or  
 8 about May of 2006, that Stacy was a  
 9 single mother of two boys?  
 10 ATTORNEY KRAMER:  
 11 Objection. We've been  
 12 through this already, Mark, at  
 13 the very beginning of the  
 14 deposition.  
 15 BY ATTORNEY VOIGT:  
 16 Q. Turn to Plaintiff's 100, page  
 17 8, paragraph 36. This refers to a  
 18 meeting between Bray and Stacy on May  
 19 12th. Did you attend this meeting?  
 20 A. No.  
 21 Q. All right. Did you have  
 22 any ---?  
 23 A. I doubt whether Bray was  
 24 there. I think that might have been  
 25 Weinrick.

1 ATTORNEY KRAMER:  
 2 Don't speculate.  
 3 Answer the question.  
 4 A. Okay.  
 5 ATTORNEY KRAMER:  
 6 We'll be done a lot  
 7 faster if you just stick to  
 8 the question.  
 9 A. All right.  
 10 ATTORNEY VOIGT:  
 11 All right.  
 12 BY ATTORNEY VOIGT:  
 13 Q. So you did not have any input  
 14 into what transpired at this May 12th  
 15 meeting other than what we've already  
 16 talked about; correct?  
 17 A. Which May 12th meeting are we  
 18 talking about?  
 19 Q. It says on or about May 12th,  
 20 Stacy met with Bray. Bray accused  
 21 her of promoting underage drinking.  
 22 Do you see that paragraph?  
 23 A. Yeah.  
 24 Q. All right. You did not have  
 25 any input into that ---

1 A. No.  
 2 Q. --- meeting; correct?  
 3 A. No.  
 4 Q. All right.  
 5 A. No.  
 6 Q. Do you believe that the  
 7 drunken pirate photo which we've  
 8 talked about promotes underage  
 9 drinking? And for reference we'll  
 10 turn to 97, I think it is. Nope, not  
 11 97. You know the photos we're  
 12 talking about.  
 13 A. Yeah, I know the photos we're  
 14 talking about.  
 15 Q. Do you believe they promote  
 16 underage drinking?  
 17 A. They could.  
 18 Q. How?  
 19 A. I mean, it comes down to this  
 20 whole thing about being a role model  
 21 and so forth. And so I think it  
 22 could be --- some people might get  
 23 that impression. I don't think I  
 24 would. I don't think I would say  
 25 that it promoted underage drinking.

1 Q. So you disagree with Ms. Bray  
 2 when she says that?  
 3 ATTORNEY KRAMER:  
 4 Objection. That's not  
 5 what Doctor Bray said. That's  
 6 what Stacy said she said.  
 7 ATTORNEY VOIGT:  
 8 Okay.  
 9 BY ATTORNEY VOIGT:  
 10 Q. Well, assuming that  
 11 Doctor ---. Never mind. Strike it.  
 12 You're aware that Stacy was 25  
 13 years old when the photo was taken;  
 14 correct?  
 15 ATTORNEY KRAMER:  
 16 Objection. If you  
 17 know?  
 18 BY ATTORNEY VOIGT:  
 19 Q. Do you know that Stacy was 25-  
 20 years old when the photo was taken?  
 21 A. I knew she was over 21.  
 22 Q. All right. Have you spoken  
 23 with any students at Conestoga Valley  
 24 who saw the photo and text that we've  
 25 been talking about?

1 A. No.  
 2 Q. Turn to Parent's 95. Do you  
 3 know who President Kozloff is?  
 4 A. On 95?  
 5 Q. Yes. Those photos? Do you  
 6 know that person is depicted in the  
 7 photo?  
 8 ATTORNEY KRAMER:  
 9 Is this the first page?  
 10 ATTORNEY VOIGT:  
 11 There's two pages.  
 12 ATTORNEY KRAMER:  
 13 On which page are  
 14 you ---?  
 15 ATTORNEY VOIGT:  
 16 Either page. They're  
 17 the same photo.  
 18 BY ATTORNEY VOIGT:  
 19 Q. Do you know the person  
 20 depicted or the woman depicted in the  
 21 center of that photo?  
 22 A. No. No, I don't.  
 23 Q. Let me represent to you that  
 24 she is the --- is or was the  
 25 president of Bloomsburg University.

1 citations. Do you believe that that  
 2 promotes underage drinking?  
 3 ATTORNEY KRAMER:  
 4 I would object.  
 5 There's no foundation for  
 6 this. He's never seen it  
 7 before. The document speaks  
 8 for itself.  
 9 ATTORNEY VOIGT:  
 10 Well, the focus here is  
 11 on what the standard is at  
 12 Millersville University for  
 13 promoting underage drinking.  
 14 BY ATTORNEY VOIGT:  
 15 Q. Do you believe that this photo  
 16 and text promotes underage drinking?  
 17 A. I don't know.  
 18 Q. Turn to Plaintiff's 62. This  
 19 is a letter from Doctor Bray to Stacy  
 20 dated May 15 of 2006.  
 21 A. Yeah.  
 22 Q. Have you ever seen this letter  
 23 before?  
 24 A. No.  
 25 Q. Were you involve in Stacy's

1 Do you believe that this photo  
 2 promotes underage drinking?  
 3 A. I can't see it clear enough to  
 4 see what the details of the picture  
 5 are.  
 6 Q. Well, take a look at the text  
 7 on the first page of Parent's 95 and  
 8 just read it. The first page.  
 9 ATTORNEY KRAMER:  
 10 I'll object. He's  
 11 never seen this before and  
 12 asking for his opinion on how  
 13 this picture may or may not  
 14 reflect upon anything is  
 15 really beyond the scope.  
 16 ATTORNEY VOIGT:  
 17 All right.  
 18 A. I really can't see what they  
 19 have there, so I don't know.  
 20 BY ATTORNEY VOIGT:  
 21 Q. Well, let me represent to you  
 22 that as it says this is a picture of  
 23 the president of Bloomsburg  
 24 University depicted with two students  
 25 holding up their underage drinking

1 so-called appeal?  
 2 A. No.  
 3 Q. Turn to --- well, did you have  
 4 any conversations with Doctor Bray  
 5 about this so-called appeal?  
 6 A. Not until after the first ---  
 7 after the hearing.  
 8 Q. After what hearing?  
 9 A. The hearing that was held here  
 10 ---  
 11 Q. Okay.  
 12 A. --- at Millersville.  
 13 Q. All right. Turn to  
 14 Plaintiff's 83 which is in the other  
 15 book. Now, this is a card that  
 16 Stacy's students made for her. Have  
 17 you ever seen this before?  
 18 A. No.  
 19 Q. Do you believe that views of  
 20 students as to the effectiveness of  
 21 the teacher are germane to whether  
 22 that teacher should be granted a  
 23 Bachelor of Science in Education  
 24 degree?  
 25 ATTORNEY KRAMER:

1 I will object. This is  
 2 --- he's never seen this  
 3 before. It speaks for itself.  
 4 I don't --- representation as  
 5 to what is. The document  
 6 speaks for itself.  
 7 BY ATTORNEY VOIGT:  
 8 Q. Well, do you believe that the  
 9 views of students as to the  
 10 effectiveness of a student teacher  
 11 should be germane to whether that  
 12 student teacher receives a Bachelor  
 13 of Science in Education degree from  
 14 Millersville?  
 15 ATTORNEY KRAMER:  
 16 Same objection. Calls  
 17 for speculation.  
 18 BRIEF INTERRUPTION  
 19 BY ATTORNEY VOIGT:  
 20 Q. Do you understand the  
 21 question? Do you remember the  
 22 question?  
 23 A. No.  
 24 Q. All right. These are student  
 25 views and comments about Stacy;

1 correct?  
 2 ATTORNEY KRAMER:  
 3 Objection. That's not  
 4 what they said. That's what  
 5 you're saying, Mark.  
 6 ATTORNEY VOIGT:  
 7 Well, let me represent  
 8 to you that it is.  
 9 ATTORNEY KRAMER:  
 10 Go ahead.  
 11 BY ATTORNEY VOIGT:  
 12 Q. Do you believe that student  
 13 views on a student teacher are  
 14 germane to whether that student  
 15 teacher receives a Bachelor of  
 16 Science in Education degree from  
 17 Millersville?  
 18 A. No, because that's not  
 19 the ---. The question is not the BS,  
 20 the question is certification.  
 21 Q. Okay. Would these notes have  
 22 been significant to you in setting in  
 23 motion the denial of Stacy's teaching  
 24 certificate?  
 25 ATTORNEY KRAMER:

1 Same objection.  
 2 BY ATTORNEY VOIGT:  
 3 Q. Do you believe these comments  
 4 by the students are significant in  
 5 any way concerning Stacy's fitness to  
 6 be a teacher?  
 7 A. I think that they, along with  
 8 a lot of other information, should  
 9 certainly be taken into account.  
 10 Q. It's important that the  
 11 student teacher motivates the  
 12 students to learn; right?  
 13 A. Correct.  
 14 Q. It's important that the  
 15 student teacher reaches the students;  
 16 correct?  
 17 A. Correct.  
 18 Q. Yet you never saw these before  
 19 you set in motion the denial of  
 20 Stacy's ---?  
 21 ATTORNEY KRAMER:  
 22 Objection. We went  
 23 over this already.  
 24 ATTORNEY VOIGT:  
 25 All right.

1 BY ATTORNEY VOIGT:  
 2 Q. Have you had any conversations  
 3 with Doctor Bray regarding this  
 4 lawsuit outside the presence of  
 5 Counsel?  
 6 A. I talked to her on one  
 7 occasion after the hearing.  
 8 Q. What did you say?  
 9 ATTORNEY KRAMER:  
 10 Well, I'll object to  
 11 that. The lawsuit had not  
 12 been filed yet. So that's ---  
 13 you're answering a different  
 14 question.  
 15 A. Okay.  
 16 BY ATTORNEY VOIGT:  
 17 Q. All right. Well, I'm talking  
 18 about conversations with Doctor Bray  
 19 after --- after the incidents that  
 20 we've been talking about, but outside  
 21 the presence of Counsel?  
 22 ATTORNEY KRAMER:  
 23 Was Jeff Hawkins there?  
 24 A. Yeah. You mean just she and I  
 25 or what do you mean?

1 BY ATTORNEY VOIGT:  
 2 Q. Conversations with Doctor  
 3 Bray? Did you have any about this  
 4 lawsuit?  
 5 A. Well, we had a meeting.  
 6 ATTORNEY KRAMER:  
 7 Well, assuming --- I  
 8 know what meeting you're  
 9 referring to. But I want to  
 10 make sure that I wasn't there  
 11 and that Jeff Hawkins wasn't  
 12 there. Because if one of us  
 13 was there, you don't talk  
 14 about that meeting.  
 15 A. Oh, okay.  
 16 ATTORNEY KRAMER:  
 17 So ---.  
 18 BY ATTORNEY VOIGT:  
 19 Q. Do you believe that Mr. --- do  
 20 you know who Mr. Hawkins is?  
 21 A. Yes.  
 22 Q. What is your understanding of  
 23 Mr. Hawkins role in this case?  
 24 A. I don't understand what it is.  
 25 Q. All right. Do you believe

1 A. After the hearing --- I don't  
 2 think the lawsuit was filed.  
 3 BY ATTORNEY VOIGT:  
 4 Q. Okay.  
 5 A. After the hearing, I went in  
 6 and asked her, I mean, I was --- I  
 7 asked her, you know, what's going on  
 8 here? What does she want?  
 9 Q. She being Stacy?  
 10 A. Yeah.  
 11 Q. Okay. And what was Doctor  
 12 Bray's response?  
 13 A. She said that she wanted to be  
 14 reinstated into the education  
 15 department.  
 16 Q. What did Doctor Bray say? She  
 17 said that Stacy wanted to be  
 18 reinstated.  
 19 A. Yeah.  
 20 Q. What did you say?  
 21 A. I said I didn't know she  
 22 wasn't still in it.  
 23 Q. What did you mean by that  
 24 comment?  
 25 A. I didn't know that she had

1 that Mr. Hawkins is your lawyer?  
 2 ATTORNEY KRAMER:  
 3 I'll object to this.  
 4 He's University Counsel and  
 5 has been involved as Counsel  
 6 in the processing.  
 7 ATTORNEY VOIGT:  
 8 All right.  
 9 BY ATTORNEY VOIGT:  
 10 Q. Outside of the presence of any  
 11 Counsel ---  
 12 A. Yes.  
 13 Q. --- did you have any  
 14 discussions with Doctor Bray about  
 15 this law suit?  
 16 A. I asked her --- I mean, are  
 17 you talking about after the lawsuit  
 18 is filed?  
 19 Q. Before or after. Any  
 20 conversations that we've not  
 21 discussed.  
 22 ATTORNEY KRAMER:  
 23 At which neither Mr.  
 24 Hawkins nor myself was  
 25 present.

1 been denied the right to come back.  
 2 Q. What did Doctor Bray say?  
 3 A. Well, she explained to me that  
 4 that was a decision that was made in  
 5 --- along with the Provost and that  
 6 was it.  
 7 Q. All right. Did you have any  
 8 conversations with Ms. Buffington  
 9 apart from what we've discussed here  
 10 concerning this lawsuit?  
 11 A. No.  
 12 Q. What about with Ms. Reinking?  
 13 A. No.  
 14 Q. What about with Doctor Prabhu  
 15 outside of the presence of Counsel?  
 16 A. I stopped in to see him one  
 17 day because I was out of the loop on  
 18 this thing. Nobody seemed to tell me  
 19 what was going on, so I stopped in to  
 20 see what he knew one day. And he  
 21 just filled me in on --- and of  
 22 course then I ---.  
 23 Q. What exactly did Doctor Prabhu  
 24 say to you?  
 25 A. Well, I don't remember exactly

1 when I went in to see him, but it was  
 2 after the hearing and after the  
 3 lawsuit was filed. And you know, I  
 4 said, you know, what do you know  
 5 about this or what's going on with  
 6 this? And he just explained to me,  
 7 the way he understood it at that  
 8 point.

9 **Q. Which is what? What did he  
 10 say?**

11 A. Well, he just used what was  
 12 the lawsuit itself.

13 **Q. Okay. You're aware that there  
 14 was hearing in or about March of 2007**

15 ---

16 A. Yes.

17 Q. --- concerning Stacy; is that  
 18 right?

19 A. Yes.

20 **Q. Did you have any input into  
 21 that hearing?**

22 A. Well, I got an e-mail from  
 23 Stacy which said that there would be  
 24 a hearing about her not receiving her  
 25 BS and certification. And that she

1 was inviting anybody who wanted to be  
 2 a character witness to come to this,  
 3 although nobody would be subpoenaed.  
 4 And it also said that I would be  
 5 receiving a letter also from her  
 6 Provost about this, which I never  
 7 did.

8 **Q. Did you have any input into  
 9 the eventual decision concerning  
 10 Stacy's appeal?**

11 A. No.

12 **Q. Okay.**

13 ATTORNEY VOIGT:

14 I have no further  
 15 questions.

16

17 \* \* \* \* \*

18 DEPOSITION CONCLUDED AT 1:25 P.M.

19 \* \* \* \* \*

20

21

22

23

24

25

## C E R T I F I C A T E

1  
 2  
 3 I HEREBY CERTIFY THAT THIS ELECTRONIC TRANSCRIPT WAS  
 4 REPORTED BY ME AND THEREAFTER REDUCED TO TYPEWRITING AND THAT  
 5 THIS TRANSCRIPT IS A TRUE AND ACCURATE RECORD THEREOF.

6  
 7 SARGENT'S COURT REPORTING SERVICE, INC.  
 8  
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10 \_\_\_\_\_  
 11  
 12 COURT REPORTER  
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**EXHIBIT E**

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

STACY SNYDER, :  
PLAINTIFF :  
:  
v.s. : CIVIL ACTION  
: NO. 07-1660  
MILLERSVILLE UNIVERSITY, :  
ET AL., :  
DEFENDANTS :

DEPOSITION OF: DEANN L. BUFFINGTON  
TAKEN BY : DEFENDANTS  
BEFORE : BRENDA S. HAMILTON, RPR  
NOTARY PUBLIC  
DATE : MARCH 27, 2008  
10:35 A.M.  
PLACE : KEGEL, KELIN, ALMY & GRIMM  
24 NORTH LIME STREET  
LANCASTER, PENNSYLVANIA

APPEARANCES:

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1		1	DEPOSITION SUPPORT INDEX
2	MARK W. VOIGT, ESQUIRE	2	
2	PLYMOUTH MEETING EXECUTIVE CAMPUS	3	DIRECTIONS NOT TO ANSWER:
	600 WEST GERMANTOWN PIKE	4	PAGES: NONE
3	SUITE 400	5	
	PLYMOUTH MEETING, PENNSYLVANIA 19462	6	
4	610.940.1709	7	
5	FOR - PLAINTIFF	8	REQUESTS FOR DOCUMENTS OR INFORMATION:
6		9	PAGES: NONE
7	BARRY N. KRAMER, ESQUIRE	10	
7	SENIOR DEPUTY ATTORNEY GENERAL IN-CHARGE	11	
	OFFICE OF ATTORNEY GENERAL	12	
8	LITIGATION SECTION	13	STIPULATIONS AND/OR STATEMENTS:
	21 SOUTH 12TH STREET, FOURTH FLOOR	14	PAGES: 5
9	PHILADELPHIA, PENNSYLVANIA 19107	15	
	215.560.1581	16	
10	FOR - DEFENDANTS	17	
11		18	MARKED QUESTIONS:
12	KEGEL, KELIN, ALMY AND GRIMM, LLP	19	PAGES: 52, LINE 12
	BY: HOWARD L. KELIN, ESQUIRE	20	66, LINE 25
13	24 NORTH LIME STREET	21	78, LINE 8
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14	717.392.1100	23	80, LINE 21
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1	INDEX TO WITNESSES		1 STIPULATION
2			2 It is hereby stipulated by and
3	DEANN L. BUFFINGTON	PAGE	3 between counsel for the respective parties
4			4 that sealing, certification, and filing are
5	BY MR. KRAMER	4	5 hereby waived; and that all objections, except
6			6 as to the form of the question, are reserved
7	BY MR. VOIGT	82	7 to the time of trial.
8			8 - - -
9			9 DEANN L. BUFFINGTON, called as a
10	INDEX TO EXHIBITS	PAGE	10 witness, being duly sworn or affirmed, was
11			11 examined and testified as follows:
12	BUFFINGTON DEPOSITION EXHIBIT NUMBERS:		12 EXAMINATION
13	1 - MAY 4, 2006 MYSPACE POSTING WITH	54	13 BY MR. KRAMER:
14	PICTURE		14 Q. Good morning, Mrs. Buffington. My
15	2 - MAY 8 & 9, 2006 EMAILS WITH	58	15 name is Barry Kramer. I'm the attorney for
16	ATTACHMENT		16 the Millersville University defendants in this
17	3 - MAY 10, 2008 EMAIL	68	17 case, captioned Stacy Snyder versus
18			18 Millersville University.
19	4 - BUFFINGTON WRITTEN THOUGHTS	68	19 I will be asking you questions today
20			20 in what's called a deposition. I presume
21	5 - WENRICH NOTES	72	21 Mr. Voigt will also be asking you questions
22			22 when I'm finished.
23			23 Let me give you some introductory
24			24 remarks. First, if at any time you don't
25			25 understand a question that I ask because it's

1 a badly phrased question -- question, because  
 2 you don't understand my question, because you  
 3 do not hear my question, for any reason, just  
 4 ask and I will rephrase the question, ask it  
 5 again.

6 You need to give your responses  
 7 verbally. Meaning you can't do just a shake  
 8 of the head or a nod of the head. You need to  
 9 say, yes, no, et cetera. Understood?

10 A. Understood.

11 Q. Perfect. Thank you. Any time you  
 12 want to take a break, will you let us know and  
 13 we can accommodate you on that.

14 Have you ever had your deposition  
 15 taken --

16 A. No.

17 Q. -- before? You're under oath. I'm  
 18 going to ask questions. You're going to give  
 19 responses to the best of your ability.

20 Mr. Kelin may at times object to a question or  
 21 Mr. Voigt may object to a question. If that  
 22 happens, you should let the lawyers hash it  
 23 out and you'll take your instructions from --  
 24 from Mr. Kelin.

25 Any questions before we start?

1 A. No.

2 Q. Where are you currently employed?

3 A. Conestoga Valley School District.

4 Q. And are you employed at a certain  
 5 school in the Conestoga Valley School  
 6 District?

7 A. I'm a district employee, and my job  
 8 is twofold.

9 Q. Okay.

10 A. I'm a supervisor, but I'm also a  
 11 teacher.

12 Q. Right.

13 A. My office is at the high school.

14 Q. All right. Tell me generally your  
 15 various responsibilities at the high school.

16 A. At the high school?

17 Q. Yes. At the high school.

18 A. At the high school I teach one class  
 19 each semester. And I supervise -- I believe  
 20 it's 10 individuals, 11 individuals.

21 Q. All right. And are you -- do you  
 22 have some responsibility for supervising the  
 23 student teaching program at Conestoga?

24 A. No.

25 Q. Do you have -- is Nicole Reinking a

1 person, a teacher that you supervise?

2 A. Yes.

3 Q. All right. Now, in May 2006

4 Ms. Reinking was the cooperating teacher for  
 5 Stacy Snyder?

6 A. That's correct.

7 Q. All right. Do you have any other  
 8 role other than -- you were supervising  
 9 Ms. Reinking, who was the cooperating teacher  
 10 for Stacy Snyder?

11 A. That's correct.

12 Q. Who was -- do you have any other  
 13 involvement with student teachers at all at  
 14 Conestoga Valley?

15 A. I get emails from the district office  
 16 asking for teachers who may be willing to work  
 17 with junior block students or student  
 18 teachers. I relay -- I forward that email and  
 19 then those teachers get back to Deb Doyle who  
 20 is a district office secretary.

21 Q. Okay. And then what happens?

22 A. Our Director of Secondary Education.

23 Q. Okay.

24 A. At that point it was Dr. Mann, and  
 25 his title was different. He was the Director

1 of Curriculum and Instruction.

2 Q. Okay.

3 A. He and Deb would coordinate the  
 4 student teaching and junior block experiences.

5 Q. What is the junior block experience?

6 A. When the students are in their junior  
 7 year, of any school, Elizabethtown, or  
 8 Millersville primarily. I don't know that we  
 9 have had junior block students from  
 10 Elizabethtown, but I believe that some of the  
 11 colleges -- I believe Elizabethtown, too, and  
 12 probably others -- send students out on what  
 13 they call field service experiences.

14 Q. What does that entail?

15 A. Working -- it used to be that the  
 16 students would spend several weeks with a  
 17 teacher, just to get an idea about teaching,  
 18 maybe doing some mini lessons and so forth.

19 I myself have had junior block  
 20 students in the past.

21 Q. Okay.

22 A. And we've continued to have those  
 23 students.

24 Q. All right. From what universities  
 25 does Conestoga Valley High School accept

1 student teachers?

2 MR. KELIN: Are you asking about in  
3 her area or --

4 BY MR. KRAMER:

5 Q. I'm sorry. We're focusing on the  
6 English communications areas.

7 A. Most of the field services  
8 experiences and student teachers have been  
9 from Millersville, but we have had some from  
10 Elizabethtown, and also I believe we had  
11 somebody from Lancaster Bible College.

12 Q. All right. In your area, how long  
13 has Conestoga Valley been accepting  
14 Millersville University student teachers?

15 A. I've been in this capacity as  
16 supervisor for eight years, and for the length  
17 of my tenure at CV we have had student  
18 teachers.

19 Q. And shall I refer to this as the  
20 English department or communications?

21 A. It's communications.

22 Q. Okay. And how does that differ, if  
23 at all, from the English department?

24 A. Communications oversees English and  
25 reading. Language arts on the middle school

1 MR. KRAMER: Yes.

2 MR. KELIN: You've been asking in  
3 terms of the high school so I wanted to  
4 make --

5 BY MR. KRAMER:

6 Q. No. We're focusing on just what you  
7 know.

8 A. We did have a student teacher from  
9 Millersville last semester.

10 Q. Okay. A student teacher from  
11 Millersville, or from any university, follows  
12 what calendar when he or she is at Conestoga  
13 Valley?

14 MR. KELIN: Objection to form.

15 A. I am not understanding your  
16 question. What calendar are you speaking of?

17 BY MR. KRAMER:

18 Q. Do you know, does a student teacher  
19 follow the Conestoga Valley academic calendar  
20 when a student teacher is there?

21 A. Primarily. And I know that they do  
22 have some obligations to Millersville, or the  
23 other university or college, and may sometimes  
24 have to attend meetings at the colleges or  
25 universities.

1 level and elementary level.

2 Q. Since May 2006 has Conestoga Valley  
3 hosted student teachers from Millersville?

4 A. Yes.

5 Q. Has there been any difference in the  
6 number of student teachers since that time?

7 A. No.

8 Q. Since May 2006?

9 A. No.

10 Q. The current semester, which is, I  
11 guess, spring 2008, does Conestoga Valley High  
12 School host some Millersville student  
13 teachers?

14 A. We have one student teacher  
15 presently.

16 Q. Okay. And how about last semester,  
17 do you remember?

18 A. Last semester?

19 Q. That would have been autumn '07.

20 MR. KELIN: And are your questions  
21 now still for the communication department?

22 MR. KRAMER: Yeah, we're just  
23 focusing on that.

24 MR. KELIN: I just wanted to make  
25 sure.

1 Q. Do you know if -- is the student  
2 teacher expected to be in the Conestoga Valley  
3 classroom every day the cooperating teacher  
4 was there?

5 A. Yes.

6 Q. Does the student teacher attend  
7 faculty meetings?

8 A. Student teachers are supposed to  
9 participate in department meetings, faculty  
10 meetings.

11 Q. Do they attend open houses?

12 A. I think that's --

13 Q. If you know.

14 A. That's up to the student teacher and  
15 the cooperating teacher.

16 Q. All right.

17 A. We always think that it's a good idea  
18 to have student teachers to meet the parents  
19 because it is going to be an experience with  
20 sort of a co-teaching situation, at least  
21 initially.

22 Q. All right. Do they also attend  
23 parent/teacher conferences, to the extent the  
24 high school has parent/teacher conferences?

25 A. I don't recall any incidents that we

1 have had with student teachers sitting in on  
 2 parental conferences.  
 3       **Q.** Okay. Tell me what why -- what --  
 4 what is a student teacher supposed to do at  
 5 Conestoga Valley when student teaching? What  
 6 do they do?

7       A. Usually at the beginning, observing  
 8 the cooperating teacher; observing other  
 9 teachers, not only in the same discipline but  
 10 in other disciplines; taking note of the  
 11 students in the classes; doing the preparation  
 12 necessary to get ready for actual teaching;  
 13 and then it's a gradual buildup until the  
 14 student -- as far as taking on classes, until  
 15 the student teacher assumes the complete role  
 16 of the cooperating teacher.

17       **Q.** And -- and what do you mean the  
 18 student teacher takes over the complete role  
 19 of the cooperating teacher?

20       A. I believe that it's for a two-week  
 21 period that the student teacher has to -- has  
 22 to take all of the classes from the  
 23 cooperating teacher.

24       **Q.** All right. And what does that  
 25 entail?

1       A. At our school, at CV --  
 2       **Q.** Yes.  
 3       A. -- it would be teaching three of four  
 4 blocks, 82 minutes apiece. Approximately.  
 5 Our third block is a little longer because of  
 6 lunches.

7       **Q.** Okay.

8       A. And also covering enrichments.

9       **Q.** What's that?

10       A. Enrichments are right now currently  
 11 half hour time slots at the end of the day.  
 12 Last year it was more or less an hour at the  
 13 end of the day, and our block one students  
 14 on -- we're on a four-day cycle, our block one  
 15 students would come back at the end of the day  
 16 to enrichment on day one.

17       **Q.** What is enrichment?

18       A. Basically it's a time for the  
 19 students to hone their skills, their  
 20 communication skills. We have them reading  
 21 and writing. I would say that our intention  
 22 is to give them more practice for the PSSA.

23       We also have some technology tools  
 24 that we use, study islands, students can work  
 25 on those as well.

1       **Q.** Okay.  
 2       A. Just again to beef up their -- their  
 3 communication skills.  
 4       **Q.** When the student teacher is teaching,  
 5 does -- how does his or her functions and  
 6 responsibilities differ from the full-time  
 7 teacher?

8       A. Not really different at all.  
 9       **Q.** Okay. Does the student teacher grade  
 10 the students on the assignment that he or she  
 11 has, you know, responsibility for?

12       A. I would say initially the cooperating  
 13 teacher is probably sitting and working very  
 14 closely with the student teacher --

15       **Q.** And --

16       A. -- regarding assessment.

17       **Q.** Okay.

18       A. But then what happens is that the  
 19 student teacher takes on more and more  
 20 responsibility. I'm not sure that the  
 21 cooperating teacher completely signs off,  
 22 because that's the role of the cooperating  
 23 teacher.

24       **Q.** Okay. All right. What is the role  
 25 of the cooperating teacher? Again, generally

1       **as far as you know.**  
 2       A. The cooperating teacher is a guide, a  
 3 coach, a person that delivers information to  
 4 the student teacher to get that student  
 5 teacher ready for his or her own classroom.  
 6 In all areas, in preparation, in classroom  
 7 management, in professional --  
 8 professionalism.

9       **Q.** Okay. You said you're -- you are  
 10 currently -- are you currently Nicole  
 11 Reinking's supervising teacher?

12       A. I am.

13       **Q.** And you were back in May of '06?

14       A. Yes, I was.

15       **Q.** Tell me, how she was as a teacher?

16       A. Excellent.

17       **Q.** Okay.

18       A. One of the most outstanding teachers  
 19 that I have ever supervised.

20       **Q.** In spring 2006, which we're going to  
 21 focus on now, how many student teachers from  
 22 Millersville were at -- were in your  
 23 department in the high school?

24       A. I don't recall. I think that Stacy  
 25 was the only one, but I'm not certain.

1       Q.   Okay.  Do you know how it is that  
 2   Nicole Reinking became assigned as Stacy  
 3   Snyder's cooperating teacher?

4       A.   That would have been Nicole's first  
 5   opportunity to serve as a cooperating  
 6   teacher.  The teachers have to have tenure,  
 7   and she had obtained tenure the year before.

8       Q.   All right.

9       A.   And, again, just as I said before, we  
 10   would have had an email forwarded to me from  
 11   the district office, from Millersville or from  
 12   any of the other schools.  That email would  
 13   have been forwarded from me to the teachers in  
 14   my department, and then those teachers would  
 15   contact Deb Doyle, who is our secretary in the  
 16   district office, to let Deb know that the  
 17   teacher was interested in serving as a co-op.

18       Q.   All right.  Do you recall your first  
 19   interaction with Ms. Snyder?

20       A.   I do.  I welcomed her to the school,  
 21   as I would any student teacher.

22       Q.   All right.

23       A.   Told her that she would be serving  
 24   under an excellent teacher and role model.

25       Q.   Okay.  At any time did you observe

1   could recall?

2       A.   I -- I really didn't observe her  
 3   teaching.

4       Q.   Okay.

5       A.   Again, it was just a drop-in visit to  
 6   see the person that I did supervise.

7       Q.   Okay.

8       A.   And that was Mrs. Reinking at that  
 9   point.

10       Q.   All right.  At some point during the  
 11   semester -- and the semester that I'm going to  
 12   refer to is May 2006; that should be clear --  
 13   did Nicole Reinking come do you with some  
 14   concerns about Ms. Snyder's teaching?

15       A.   You said May 2006.  Do you mean that  
 16   semester?

17       Q.   The semester, yeah.

18       A.   Okay.

19       Q.   Spring 2006, did Ms. Reinking come to  
 20   you with some concerns about what was going on  
 21   in the classroom?

22       A.   Very frequently.

23       Q.   Well, tell me what you remember.  To  
 24   the extent you can take it in chronological  
 25   order.

1   Ms. Snyder actually teaching in the classroom  
 2   that semester?

3       A.   I had drop-in visits to check on  
 4   things with Nicole basically, and so there  
 5   were some -- some cases when I did see Stacy  
 6   interacting with students or presenting  
 7   something or whatever.

8       Q.   Okay.  And what were your impressions  
 9   of her teaching, the bit that you saw?

10       A.   Well, my -- the very first time that  
 11   I stepped in the room and she was instructing,  
 12   she either -- she either had something on the  
 13   board or -- I believe they were folders that  
 14   she had made for the students and she had  
 15   misspelled Shakespeare.  And she was teaching  
 16   British literature so that, of course, made me  
 17   look twice at the folders and they were, in  
 18   fact, misspelled.

19       Q.   Okay.  And did anything else happen  
 20   in that particular session that you recall?

21       A.   Not in that session.  It was just a  
 22   very quick drop-in, as I said, and then I went  
 23   back to my office.

24       Q.   How many times would you say you  
 25   observed her teaching that semester, if you

1       A.   I can't take it in chronological  
 2   order.  I can tell you that.

3       Q.   Tell me what she told you.

4       A.   I distinctly remember the Valentine's  
 5   Day episode in that she shared -- Stacy Snyder  
 6   shared information with students regarding her  
 7   having been on a date, I believe, and had  
 8   encountered her husband with a date also and,  
 9   of course, Nicole told Stacy that sharing  
 10   such -- such personal information was  
 11   inappropriate.

12       Stacy herself had stopped in to see  
 13   me and asked me if she could stay on beyond  
 14   her student teaching experience and finish out  
 15   the year with the students, and I told her  
 16   that she needed to follow channels.  That --  
 17   of course, it isn't something that we've ever  
 18   done before.  I didn't know how Mrs. Reinking  
 19   would feel about that, but that she needed to  
 20   go back to Mrs. Reinking.

21       Q.   Okay.

22       A.   But my -- my response to her, too,  
 23   was that this was not something that we had  
 24   ever done before.

25       Q.   What -- if you could clarify what she

1   **requested of you that wasn't --**  
 2    A. She wanted -- she wanted to stay  
 3 beyond her student teaching experience.  
 4    Q. As a -- as an employee, as a teacher?  
 5    A. I think as a teacher.  
 6    Q. Was she applying for a job?  
 7    A. I don't know if we had any jobs open  
 8 at that point. I believe that we -- we did,  
 9 and we hired some new employees for the  
 10 2007/'8 school year.  
 11   Q. Right. I'm sorry. To me that -- her  
 12 request sounds vague. Could you -- could you  
 13 clarify or --  
 14   A. Perhaps just additional experience in  
 15 the classroom.  
 16   Q. Okay. And you told her in response  
 17 what?  
 18   A. Well, that she needed to follow  
 19 channels. Number one, that request should  
 20 have come from Nicole to me.  
 21   Q. Okay.  
 22   A. But also that it wasn't anything that  
 23 CV had ever done before for any other student  
 24 teachers.  
 25   Q. All right. What do you mean that

1   **Ms. Snyder had to follow channels?**  
 2    A. She bypassed Mrs. Reinking at that  
 3 point, and I told her that she needed to  
 4 confer with her student teaching co-op.  
 5 Because Nicole was directly supervising her  
 6 and I was supervising Nicole; and the request  
 7 should have come from Nicole to me, not Stacy  
 8 to me.  
 9   Q. Okay. Any other?  
 10   A. Other?  
 11   Q. Impressions.  
 12   A. Yes.  
 13   Q. Or things that Ms. Reinking told you?  
 14   A. She had worn flip-flops to school.  
 15 So professional garb. One day Stacy did  
 16 appear with little pigtails sticking out of  
 17 her head, and she looked not professional at  
 18 that point.  
 19   Q. Anything else?  
 20   A. She shared -- after the -- I believe  
 21 after the midyear evaluation, Ms. Reinking  
 22 told me that Stacy talked to her students  
 23 about the evaluation and that that had -- that  
 24 conversation had gotten back to Mrs. Reinking  
 25 through the students.

1    Q. If -- could you clarify what --  
 2 you're saying, that after the midterm  
 3 evaluation?  
 4    A. Yes.  
 5    Q. Ms. Snyder spoke to?  
 6    A. Students.  
 7    Q. About?  
 8    A. About that evaluation.  
 9    Q. And that evaluation being which  
 10 evaluation?  
 11   A. It would have been the evaluation  
 12 that Mrs. Reinking prepared.  
 13   Q. Oh, of Ms. Snyder?  
 14   A. Of Ms. Snyder at midterm.  
 15   Q. Okay. Okay. Now that I understand  
 16 that, what else do you remember about that  
 17 incident, if you will?  
 18   A. Just that -- from my recollection,  
 19 Mrs. Reinking told me that some students had  
 20 approached her and told her that Ms. Snyder  
 21 was making negative comments.  
 22   Q. About?  
 23   A. About Mrs. Reinking.  
 24   Q. To?  
 25   A. Students.

1    Q. Okay. Anything else that you  
 2 remember?  
 3    A. A song that Stacy had played as part  
 4 of a lesson that had profanity in it. She  
 5 allowed students to use inappropriate language  
 6 to one another.  
 7    Q. Okay. Well, let me go back. This  
 8 song that you referred to, was that the Ben  
 9 Folds song --  
 10   A. I don't know.  
 11   Q. -- that we're talking about?  
 12   A. I don't know what song it was.  
 13   Q. Do you recall what Ms. Reinking told  
 14 you about the song incident?  
 15   A. That there was profanity and she --  
 16 Mrs. Reinking got up to stop the -- the record  
 17 or the song.  
 18   Q. Okay. And then after that you said  
 19 that some students had used inappropriate  
 20 language?  
 21   A. Screaming, I believe, shut up at one  
 22 another or even swearing. And Ms. Snyder did  
 23 not address that bad behavior with the  
 24 students, and Mrs. Reinking, I believe, had  
 25 to.

1       Q.    Okay.  What did she do, if you know?  
 2       A.   She would have told -- I mean she  
 3       would have told the students that it's  
 4       inappropriate.

5       Q.    Okay.  Anything else you can  
 6       remember?

7       A.   Are you talking in the classroom  
 8       or -- or just the entire semester and some of  
 9       the other situations?  Because you had asked  
 10      me about department meetings and faculty  
 11      meetings also.

12      Q.    Yes.  I'm talking about the entire  
 13      semester in the classroom.

14      A.   Okay.

15      Q.    I'm focusing on what Ms. Reinking  
 16      told you about Ms. Snyder's behavior and  
 17      teaching.

18      A.   Those are some of the examples in the  
 19      classroom.  I can tell you with -- that at a  
 20      department meeting she spoke out and -- which  
 21      is not typical of student teachers.  Usually  
 22      student teachers are there to monitor what is  
 23      transpiring with the department members,  
 24      because that is the purpose of the department  
 25      meeting.  But Stacy would also make

1       contributions as if she were an employee.

2       Q.    And you -- and you found that  
 3       inappropriate?

4       A.   It had never happened before.  We --  
 5       we all thought, the teachers in the  
 6       department, as well as I myself, thought that  
 7       it was a little brash on her part.

8       Q.    And did you -- did you personally --  
 9       were you personally at those meetings?

10      A.   I was the person running the meeting.

11      Q.    Okay.

12      A.   And she did the same thing at the  
 13      faculty meeting with all of our faculty  
 14      members.  And Nicole and I discussed the  
 15      inappropriateness of Stacy's comments at the  
 16      faculty meeting as well.  And I don't remember  
 17      exactly what those comments were.

18      Q.    Okay.

19      A.   But we found them to be not something  
 20      that student teachers, normally, generally  
 21      do.  They're usually the observers at those  
 22      meetings.

23      Q.    Okay.  Anything else that you can  
 24      recall?

25      A.   I remember Nicole talking with me

1       about one of Stacy's techniques.  She had the  
 2       students assemble a Popsicle stick with a  
 3       little stop sign on it.  Now, she was teaching  
 4       seniors.  And if someone didn't understand  
 5       something, the person could hold the Popsicle  
 6       stick with the stop sign up to let Stacy know  
 7       that there was confusion or a problem.

8       Q.    And did you find that not  
 9       appropriate?

10      A.   Not in a senior high school  
 11      classroom.  We thought that would be something  
 12      that might be more appropriate on the  
 13      elementary level or even perhaps the seventh  
 14      or eighth grade level.

15      Q.    Okay.  Anything else that you can  
 16      recall?  I know we're going back a long time,  
 17      but ---

18      A.   She was -- she didn't send in plans  
 19      when she was out so that Mrs. Reinking would  
 20      have to pick up, and, of course, Mrs. Reinking  
 21      was there and she obviously could pick up, but  
 22      it is the student teachers's responsibility to  
 23      send in plans just the same as it would be for  
 24      a regular teacher.

25           She lost student papers, I believe.

1       She also lost an attendance roster, which  
 2       caused some difficulties with keeping track of  
 3       the records for that particular day when there  
 4       were questions that arose from the attendance  
 5       office.

6       Q.    These criticisms that Ms. Reinking  
 7       had of Ms. Snyder's professionalism, teaching,  
 8       competence, behavior, was she -- was  
 9       she telling -- was Ms. Reinking telling you,  
 10      you know, these criticisms contemporaneous  
 11      with the -- with the incidents occurring?

12      A.   Yes.  Almost daily.

13      Q.    Okay.

14      A.   Almost daily.  And I can -- I can  
 15      also say that Nicole, I believe, had advanced  
 16      composition at the beginning of that semester  
 17      and, because of Ms. Snyder's poor skills that  
 18      she had observed to that point, was afraid of  
 19      turning that class over.  And, in fact, I  
 20      don't believe she did turn that class over --  
 21      over to Ms. Snyder.

22      Q.    Okay.  Why is that?  What's advanced  
 23      composition?

24      A.   Advanced composition, we have  
 25      students that take a foundation course.  It's

1 called basic composition.  
 2 Q. Right.  
 3 A. And then if the students want to, in  
 4 fact, expand their writing skills, learn  
 5 different methods of development, and perhaps  
 6 write longer papers, do some research or  
 7 whatever, they take advanced composition. And  
 8 that's a nine weeks' course as well.  
 9 Q. All right. And Ms. Reinking thought  
 10 Ms. Snyder should not teach that course?  
 11 A. That's right.  
 12 Q. Because why?  
 13 A. Because she observed that she did not  
 14 have competence in English grammar skills,  
 15 punctuation -- punctuation usage. Just the  
 16 background wasn't there.  
 17 Q. All right. And what were you --  
 18 while -- during the semester while  
 19 Ms. Reinking was telling you these things, did  
 20 you do anything in response?  
 21 A. It's Ms. Reinking -- Mrs. Reinking's  
 22 nature, as well as my own, to help anybody,  
 23 students or student teachers, and so we were  
 24 trying our best every day to help Stacy to  
 25 gain the skills that she needed to acquire.

1 Q. What did you personally do, if  
 2 anything, to help Ms. Snyder acquire better  
 3 skills?  
 4 A. Not -- that really wasn't my job.  
 5 That was Ms. Reinking's job.  
 6 Q. Did Mrs. Reinking consult with you as  
 7 to how she should help and support Ms. Snyder?  
 8 A. Mrs. Reinking is an excellent  
 9 teacher, and she has a grasp of what she needs  
 10 to do with students. And even though this was  
 11 her first student teacher, she -- she worked  
 12 diligently with Stacy --  
 13 Q. Okay.  
 14 A. -- to assist her, to gain the skills.  
 15 Q. It sounds to me as if then your  
 16 function that semester in this context was to  
 17 act as a sounding board?  
 18 A. I was more a sounding board --  
 19 Q. Okay.  
 20 A. -- than anything else.  
 21 Q. Okay. Did Ms. Snyder ever complain  
 22 to you at any time about Ms. Reinking?  
 23 A. No.  
 24 Q. I want to focus on the events giving  
 25 rise to Ms. Snyder being barred from Conestoga

1 Valley, but just for clarity -- clarity's  
 2 sake, is there anything before that, you know,  
 3 from January '06 until, you know, May 1st,  
 4 thereabouts, that you can remember about  
 5 Ms. Snyder's performance, Mrs. Reinking's  
 6 observations that we haven't touched on so  
 7 far?  
 8 MR. KELIN: I just want to object to  
 9 the use of the word bar.  
 10 MR. KRAMER: Okay. I understand.  
 11 MR. KELIN: But subject to that, go  
 12 ahead.  
 13 MR. KRAMER: Yeah. That's fine.  
 14 Just so we can kind of demarcate the time  
 15 period. That's all.  
 16 A. I do recall that around midterm  
 17 Ms. Reinking was upset with Ms. Snyder's  
 18 performance at that point, was frustrated,  
 19 didn't know if she wanted Stacy to continue as  
 20 her student teacher, I think perhaps spoke to  
 21 Mr. Girvin regarding a different placement, at  
 22 the middle school perhaps. I'm not certain of  
 23 that, but I -- this is my recollection --  
 24 Q. Sure.  
 25 A. -- at this point. But as is -- as is

1 the case with Mrs. Reinking, she would perhaps  
 2 see that as a failure on her part and so,  
 3 again, that willing spirit to help came  
 4 through and Stacy continued.  
 5 Q. Okay.  
 6 A. And there were areas of improvement  
 7 thereafter.  
 8 Q. Okay. During the semester -- and,  
 9 again, before May 1st of 2006 -- did you ever  
 10 speak with Mr. Girvin about Ms. Snyder?  
 11 A. Only in regard to Stacy being with an  
 12 excellent teacher. I -- I did not discuss  
 13 Stacy's performance. I believe that that was  
 14 Nicole's responsibility, Mrs. Reinking's  
 15 responsibility, as co-op teacher.  
 16 Q. At -- at some point there came a time  
 17 when it's alleged that you called Ms. Snyder  
 18 and told her she could not return to the  
 19 school, was barred from the school,  
 20 something. Tell me first is that --  
 21 A. No. Well, not barred.  
 22 Q. Okay.  
 23 A. I wouldn't have used that term at  
 24 all.  
 25 Q. I'm a lawyer. I'm sorry. That's

1 just one of the words we use. Tell me the  
2 events. You -- at some point in early May  
3 you did call her?

4 A. I called her on the 8th of May.

5 Q. Okay. Tell me the events which gave  
6 rise to that phone call.

7 A. I believe that that morning one of  
8 the teachers in my department showed me a copy  
9 of a posting from MySpace that had  
10 Ms. Snyder's picture.

11 Q. Is that Shaun Karli?

12 A. Shaun Karli. And not only the  
13 picture, but also several sentences under that  
14 picture as well as a caption: Dorky. I think  
15 category was life. That was life, but I think  
16 it said mood: Dorky; category: Life, or  
17 something like that. And then there were  
18 words, sentences under that.

19 Q. Okay. If you'd, in the documents in  
20 front of you, go to the fourth page. I think  
21 it's the fourth page. Is that the page that  
22 Mr. Karli showed you?

23 A. It is.

24 MR. KRAMER: Let's mark that as  
25 Buffington 1, please.

1 comments that Stacy had made in class to the  
2 students.

3 Q. Okay.

4 A. Things that were inappropriate.

5 Q. All right.

6 A. That would have been the reason, the  
7 cause, for Ms. Reinking to come to my office,  
8 that there was some kind of a problem.

9 Q. Okay.

10 A. So we've had some situations in the  
11 past regarding professional behavior at CV,  
12 and my job as a supervisor then was -- because  
13 of Mrs. Reinking being upset and my not  
14 exactly knowing what my responsibility was at  
15 this point in reaction to this, I contacted  
16 Kim Seldomridge, who is our Director of  
17 Business and Administrative Services.

18 Q. Okay. Explain to me why you  
19 weren't -- why you yourself weren't sure of  
20 your responsibility at this point?

21 A. Mr. Seldomridge oversees personnel  
22 issues. And anything that has happened, has  
23 transpired at CV that would be something that  
24 would be less than professional, he would be  
25 the person that would have to deal with that

1 BY MR. KRAMER:

2 Q. Is this the only page from -- that  
3 Mr. Karli showed you from Ms. Snyder's  
4 website?

5 A. It's the only page that I saw that  
6 day.

7 Q. I interrupted. So Mr. Karli showed  
8 you this page?

9 A. Showed me this picture. I believe  
10 Ms. Snyder had left that day. Went home ill,  
11 is my recollection.

12 And Mrs. Reinking also had this as  
13 well. She came to me and was quite upset  
14 because she had told Ms. Snyder on several  
15 occasions not to post anything on MySpace, not  
16 to talk to her students about MySpace, which  
17 she had done in the classroom previously.

18 Q. And how -- why do you believe that  
19 Ms. Reinking had told -- had warned Ms. Snyder  
20 not to --

21 A. She had told me that. I told you  
22 that on almost a daily basis, I mean very  
23 frequently, she was in my office --

24 Q. All right.

25 A. -- talking to me about different

1 circumstance.

2 Q. Okay.

3 A. And does deal with that kind of  
4 circumstance.

5 Q. Okay. So you contacted  
6 Mr. Seldomridge?

7 A. Via phone.

8 Q. Okay. What did you tell him on the  
9 phone?

10 A. I told him about the MySpace  
11 posting. I believe that I read -- I described  
12 the picture.

13 Q. This is the Buffington 1, the page  
14 with the photograph?

15 A. Yes.

16 Q. All right.

17 A. I described the picture to him. This  
18 picture is not very clear. The picture that  
19 we had, I think, was more clear than this one.

20 Q. Was it about the same size?

21 Approximately.

22 A. Yes. And I feel certain that I read  
23 to him what was in the posting. I also  
believe that I told him that this had been --  
24 that her lack of professionalism had been an

1 ongoing problem the entire semester.  
 2 Q. And did that --  
 3 A. I'm not sure if I shared details.  
 4 Q. Okay. And that -- that refers to the  
 5 incidents that you've already described for  
 6 us?  
 7 A. That's right.  
 8 Q. Okay.  
 9 A. And at that point he asked me to  
 10 either have Nicole -- I think have Nicole  
 11 contact him because he wanted more  
 12 information.  
 13 Q. Okay.  
 14 A. And I did that. I told Nicole that  
 15 she needed to be in touch with  
 16 Mr. Seldomridge.  
 17 Q. All right. And then with respect to  
 18 your involvement with this, what happened  
 19 next?  
 20 A. I -- I think that at that point I  
 21 also called Mr. Girvin, because I thought that  
 22 he should be aware of -- of what was  
 23 happening. But I'm not certain that I did.  
 24 Q. Okay.  
 25 A. I don't know if Ms. Reinking

1 contacted him or if Mr. Seldomridge did or if  
 2 I did. I just don't remember.  
 3 Q. Okay. And then what happened?  
 4 A. I called -- I called Stacy and I told  
 5 her that she wasn't to come back in until her  
 6 evaluation, which was to take place on  
 7 Thursday of that week.  
 8 Q. The 11th?  
 9 A. The 11th.  
 10 Q. All right.  
 11 A. And she wanted a reason, and I told  
 12 her that I wasn't able to share that reason at  
 13 that time.  
 14 Q. Okay. Do you know if Mr. Seldomridge  
 15 ever spoke directly with Ms. Snyder about  
 16 this?  
 17 A. I don't believe that he did.  
 18 Q. Okay. You met on May 11th. Did you  
 19 have any contact with Ms. Snyder after the  
 20 phone call before the May 11th meeting?  
 21 A. I don't think that I did. I don't  
 22 know. I don't remember if she might have  
 23 called a second time to see if she could get  
 24 in because she had furniture or materials or  
 25 whatever and she -- she may have. But I don't

1 remember if that was the case.  
 2 Q. All right. And -- and before the May  
 3 11th meeting --  
 4 A. Yes.  
 5 Q. -- did you do anything in preparation  
 6 for the meeting?  
 7 A. Mr. Girvin came in a little earlier  
 8 than his meeting, which was to be the final  
 9 evaluation with Stacy and with Ms. Reinking,  
 10 with Nicole; and he and I chatted in my office  
 11 about this situation.  
 12 Q. What did you talk about or what did  
 13 you discuss?  
 14 A. Just that this posting -- but this  
 15 was, again, ongoing problems that we had seen,  
 16 not only in her professionalism but also in not  
 17 having the skills to instruct English.  
 18 Q. What did Mr. Girvin say during that  
 19 conversation?  
 20 A. My impression was that Millersville  
 21 wanted to give Stacy a satisfactory  
 22 evaluation; but I didn't know what Mr. Girvin  
 23 had in his evaluation of Stacy, nor did I know  
 24 what Ms. Reinking had in hers.  
 25 Mrs. Reinking had talked with me

1 about some of the areas of concern, and she  
 2 had everything documented so thoroughly.  
 3 She -- she did give Stacy -- I think the areas  
 4 were superior and competent, and I don't  
 5 remember, satisfactory maybe was another, and  
 6 then unsatisfactory. And in the areas that  
 7 she thought that she could give Stacy the  
 8 satisfactories or above, she did that. But in  
 9 those areas that were questionable, she -- she  
 10 delivered what she thought she needed to do.  
 11 Q. Why was it your impression that  
 12 Millersville wanted to give Ms. Snyder a  
 13 satisfactory on the evaluation?  
 14 A. Mrs. Reinking had talked with me  
 15 about that at midterm, and I think that she  
 16 and Mr. Girvin had been in discussion that  
 17 they were going to sort of ignore what had  
 18 happened up until the midterm and try to look  
 19 at her performance from midterm on with that  
 20 final evaluation. Rather than the entire  
 21 semester, the final evaluation would be from  
 22 midterm on.  
 23 Q. All right.  
 24 A. Rather than the entire -- rather than  
 25 that span of time.

1       Q.    Okay.  
 2       A.    The longer span.  
 3       Q.    But my question was -- I understand  
 4       that you said from speaking with Mr. Girvin it  
 5       was your impression that Millersville wanted  
 6       to give Ms. Snyder a satisfactory in the  
 7       evaluation and so that's --  
 8       A.    Yes. But I wasn't -- I wasn't  
 9       certain --  
 10      Q.    Okay.  
 11      A.    -- what Ms. Reinking's evaluation  
 12     would be or what Mr. Girvin's was.  
 13      Q.    When you spoke with Mr. Girvin right  
 14     before the May 11th meeting, was he aware of  
 15     Ms. Snyder's unsatisfactory teaching and  
 16     professionalism?  
 17       MR. VOIGT: Objection to the form.  
 18     It assumes facts not in evidence, that she was  
 19     unprofessional.  
 20     BY MR. KRAMER:  
 21      Q.    You can answer.  
 22      A.    I am certain that, because of his  
 23     observations that are mandatory, he would have  
 24     had discussions with Mrs. Reinking. I know  
 25     that he had discussions with Ms. Reinking

1       regarding these problems that she -- that she  
 2       shared with me.  
 3       Q.    Did Mr. Girvin say anything to you in  
 4       that -- in the meeting before the final  
 5       meeting that --  
 6       A.    Only that he was aware of the  
 7       problems that had transpired over the course  
 8       of the semester.  
 9       Q.    Okay. How long was that meeting that  
 10      you had with Mr. Girvin?  
 11      A.    Maybe a half hour. Perhaps. Maybe  
 12     not even that long.  
 13      Q.    Did you have any input into  
 14     Ms. Reinking's evaluations of Ms. Snyder?  
 15      A.    I did not.  
 16      Q.    Did you have any input into  
 17     Mr. Girvin's evaluations of Ms. Snyder?  
 18      A.    No.  
 19      Q.    What transpired at the meeting -- the  
 20     meeting in which, as I understand it, it was  
 21     you, Ms. Snyder, Mr. Girvin, and  
 22     Mrs. Reinking? Okay. What happened at that  
 23     meeting?  
 24      A.    We at that point told Stacy why -- we  
 25     had asked her not to come back until the

1       evaluation, that we were very troubled by the  
 2       MySpace posting and with the paragraph that  
 3       she had underneath, also with the current  
 4       mood: Dorky.  
 5       Q.    Explain to me why you were troubled  
 6       by those things.  
 7       A.    May I refer to --  
 8       Q.    Absolutely, yes.  
 9       A.    -- the picture?  
 10      Q.    Absolutely.  
 11      A.    Well, the picture itself doesn't look  
 12     to be the picture that I would want of a  
 13     teacher in front of a classroom. The same  
 14     with Ms. Reinking and Mr. Girvin as well.  
 15      Q.    This may be a dumb question, but  
 16     explain to me why that is.  
 17      A.    Well, the peace sign, her posture,  
 18     her demeanor, facial expression, the drink in  
 19     hand. The use of the word dorky there. We  
 20     don't permit our students to use that in  
 21     class. I hear it in the hallways sometimes  
 22     but --  
 23      Q.    There's a prohibition on using the  
 24     word dorky in class?  
 25      A.    Well, we try to keep our students

1       from saying such things. I mean if a student  
 2       would say such and such sucks, we would say  
 3       that's unappropriate -- or inappropriate.  
 4       Q.    Okay. All right. And what else  
 5       about that page?  
 6       A.    The reference to the students looking  
 7       at her page and, of course, I don't know if  
 8       the students would have looked at the page had  
 9       she not been talking about it or perhaps even  
 10      encouraging them to look at the page earlier  
 11      in the semester.  
 12       She says that she has nothing to  
 13     hide. I mean this is -- this is blatant. I'm  
 14     over 21.  
 15      Q.    I'm sorry. Blatant what? What are  
 16     you referring to?  
 17      A.    She's delivering more information to  
 18     students than we thought was appropriate.  
 19      Q.    In the first line she says that  
 20     someone, Bree said that one of my students was  
 21     looking at my page.  
 22       Do you have information that, other  
 23     than this one student, that other students had  
 24     seen her page?  
 25      A.    I don't know that.

1       Q.    **Okay.**  
 2       A.    I had -- I had heard from  
 3    Mrs. Reinking that students -- other students  
 4   had seen the page.  
 5       Q.    **Okay. Please continue with the text.**  
 6       A.    The reference I don't think that they  
 7   would stoop that low as to mess with my  
 8   future, I think the implication here is that  
 9   that's a reference to CV perhaps.  
 10         Bring on the love. Sounds like  
 11   something from the '60s.  
 12         And then her statement here: I  
 13   figure a couple students will actually send me  
 14   a message when I am no longer their official  
 15   teacher. I remember when Ms. Reinking and I  
 16   spoke with one another, after we both had seen  
 17   a copy of this, we both referenced the fact  
 18   that she -- that Ms. Snyder was not really the  
 19   official teacher.  
 20       Q.    **And did you take that as somehow**  
 21   **insulting towards Ms. Reinking?**  
 22       A.    I did. And I believe that she did as  
 23   well.  
 24       Q.    **That Ms. Reinking took it?**  
 25       A.    Yes.

1       Q.    **Okay.**  
 2       A.    And then, of course, they keep asking  
 3   me why I won't apply there.  
 4       Q.    **Who is they, if you know?**  
 5       A.    I think it's a reference -- I think  
 6   the pronoun reference is to students, and the  
 7   "there" I believe is a reference to CV, the  
 8   school district.  
 9       Q.    **That's ambiguous, isn't it, would you**  
 10   **say?**  
 11       A.    In -- in what regard?  
 12       Q.    **Well, in terms of understanding the**  
 13   **pronoun they and the there, is that pretty**  
 14   **clear to you who she refers to or --**  
 15       A.    No. I think -- I think that maybe  
 16   purposely she's -- I don't know if it's  
 17   purposely. I just -- I'm reading it they keep  
 18   asking me why I won't apply there, I'm  
 19   assuming that there is CV. They seemingly  
 20   would be the students.  
 21       Q.    **Okay.**  
 22       A.    And then do you think it would hurt  
 23   me to tell them the real reason? It could  
 24   also be perhaps to department members, other  
 25   department members, though that's doubtful

1   because all the department members were very  
 2   aware of what was going on with Ms. Snyder.  
 3       Q.    **How -- how did that come about?**  
 4       A.    Mrs. Reinking perhaps sharing  
 5   information or the teachers observing that  
 6   same kind of behavior in department meetings,  
 7   faculty meetings, hallway with the flip flops  
 8   and the pigtails, ponytails.  
 9         She -- she would -- other things are  
 10   coming back to me as I'm talking about this.  
 11   She would oftentimes complain to the -- to the  
 12   other department members, felt ill frequently,  
 13   missed -- missed some student teaching days.  
 14   I don't recall how many. Went home one time  
 15   for what she said was a spider bite and --  
 16       Q.    **Okay. Was that a concern?**  
 17       A.    I mean, of course, it was a concern.  
 18   I mean if she would have an allergic reaction  
 19   to the spider bite. But we had heard problems  
 20   surface with her health prior to that and so  
 21   some of the department members, as well as  
 22   Mrs. Reinking, and as well as --as me, myself,  
 23   we started to think that some of these were  
 24   creations.  
 25       Q.    **The last sentence?**

1       A.    Do you think it would hurt me to tell  
 2   them the real reason or who the problem was?  
 3   And I can't read her mind, but I'm -- I'm  
 4   thinking that that is perhaps -- Mrs. Reinking  
 5   and I, as we discussed this, thought this was  
 6   perhaps in reference to her.  
 7       Q.    **Her meaning Ms. Reinking?**  
 8       A.    Yeah.  
 9       Q.    **And you were -- so it sounds as if**  
 10   **you were clearly disapproving of the text**  
 11   **entirely?**  
 12       A.    Yes. Because obviously she's --  
 13   she's posted this on a social network page and  
 14   students had access. Students saw it. And  
 15   there's negativity. If I'm reading the text  
 16   correctly -- and I've read a lot of student  
 17   papers over the course of my 37 years in  
 18   education -- I am -- I'm thinking that she's  
 19   talking about the students.  
 20       Q.    **You said that you told**  
 21   **Ms. Reinking -- Ms. Snyder she couldn't return**  
 22   **to Conestoga Valley?**  
 23       A.    Until -- until the evaluation date.  
 24       Q.    **Whose decision was that?**  
 25       A.    That was -- that was

1 Mr. Seldomridge's recommendation.  
 2 Q. Okay. He recommended that to you?  
 3 A. Yes.  
 4 Q. Was it ultimately your decision?  
 5 A. No.  
 6 Q. Okay. It was -- it was -- you're  
 7 saying he recommended. He told you?  
 8 A. He told me.  
 9 Q. Okay.  
 10 A. I said that Ms. Reinking was upset  
 11 and I -- I also told him some of the problems  
 12 that had transpired, that had -- that this was  
 13 sort of the straw that broke the camel's back.  
 14 Q. You told that to Mr. Seldomridge?  
 15 A. Uh-huh.  
 16 Q. Did you ever tell that to  
 17 Mr. Girvin?  
 18 A. Again, I don't recall whether I spoke  
 19 with him that afternoon or how he got the  
 20 information that -- that Ms. Snyder was not  
 21 going to be there until the final evaluation.  
 22 I don't know if I made the phone call or if  
 23 Mr. Seldomridge did or if Ms. Reinking did.  
 24 Q. Okay.  
 25 A. Somehow he probably would have

1 known. Or maybe -- maybe even Stacy herself  
 2 could have called him to tell him.  
 3 Q. Okay.  
 4 MR. KELIN: I just want to state,  
 5 you're to testify to what you recall or know.  
 6 THE WITNESS: Okay.  
 7 MR. KELIN: Not speculate --  
 8 THE WITNESS: All right.  
 9 MR. KELIN: -- what may have  
 10 happened.  
 11 THE WITNESS: Right.  
 12 A. It just came to mind. I don't know  
 13 how Mr. Girvin got the information.  
 14 BY MR. KRAMER:  
 15 Q. All right. You were describing what  
 16 else happened in the May 11th meeting with the  
 17 other people.  
 18 A. It was mainly addressing the MySpace  
 19 and the lack of professionalism that we had  
 20 seen prior to that.  
 21 Q. All right.  
 22 A. But obviously the focus was on the  
 23 MySpace page.  
 24 Q. When -- are you saying that it was  
 25 your focus on the MySpace page or the

1 conversation was on the MySpace page?  
 2 A. It wasn't -- it was the reason for  
 3 Stacy not being with us on the 9th, the 10th,  
 4 I mean I don't want to say that --  
 5 Mr. Seldomridge gave me the information that  
 6 we did not have to have Ms. Snyder with us on  
 7 the 9th and the 10th and that she could return  
 8 on the 11th.  
 9 Q. Okay.  
 10 A. And basically the MySpace page  
 11 prompted that.  
 12 MR. VOIGT: Mark.  
 13 BY MR. KRAMER:  
 14 Q. All right. Did Mr. Girvin have any  
 15 input into -- into the decision to not let  
 16 Ms. Snyder into Conestoga Valley High School  
 17 on May 9th and 10th?  
 18 A. I don't know.  
 19 Q. Do you know if anybody from  
 20 Millersville University had any input in that  
 21 decision?  
 22 A. I don't know.  
 23 Q. What else do you remember about the  
 24 May 11th meeting with the other folks?  
 25 A. Shortly thereafter -- I mean that was

1 the final evaluation. So after just showing  
 2 Stacy what the MySpace page -- this basically,  
 3 and talking to her about the  
 4 inappropriateness, I left that meeting and  
 5 Mr. Girvin and Mrs. Reinking then continued to  
 6 share their evaluations, the final evaluation.  
 7 Q. Okay. At any time did you advise  
 8 anyone from Millersville University that  
 9 Conestoga Valley would not accept any more  
 10 students from Millersville as student teachers  
 11 if they didn't punish Ms. Snyder?  
 12 A. No.  
 13 Q. At any time have you spoken -- do you  
 14 know who Jane Bray is?  
 15 A. I just know of her. I -- I don't  
 16 know her.  
 17 Q. You've never spoken?  
 18 A. I've spoken to her on the phone but  
 19 not in person.  
 20 Q. And about Stacy Snyder or about  
 21 other -- did you ever talk to her about  
 22 Ms. Snyder?  
 23 A. I don't -- I don't recall if I spoke  
 24 with Jane Bray or whether I spoke with  
 25 Judy Wenrich. Somebody. I think it was Jane

1 Bray -- it's my recollection that maybe she  
 2 had been ill and somebody was filling in for  
 3 her at a particular time. I'm not certain.

4       Q. Did you --

5       A. I spoke to Millersville, a female  
 6 Millersville personnel.

7       Q. Okay. About Stacy Snyder?

8       A. Yes. But that was -- not at that  
 9 time. That was later.

10      Q. Okay. I understand. Sometime in  
 11 2007?

12      A. When this case surfaced.

13      Q. Got it. Okay.

14       MR. VOIGT: Hey, Barry, you want to  
 15 take just five minutes? I need to freshen up.

16       MR. KRAMER: Sure. Absolutely.

17       (Buffington Deposition Exhibit Number  
 18 I was marked for identification.)

19       (Recess was taken from 11:27 a.m. to  
 20 11:33 a.m.)

21 BY MR. KRAMER:

22      Q. A couple questions before we get to  
 23 the documents. At some point did Ms. Snyder  
 24 apply for a full-time teaching position at  
 25 Conestoga Valley, to your knowledge?

1       A. I don't believe that she did.

2       Q. During the semester, spring 2006,  
 3 Ms. Reinking was telling you her concerns with  
 4 Ms. Snyder. Did you tell anybody during the  
 5 semester about these conversations and -- that  
 6 were -- that you and Ms. Reinking were having?

7       A. Not to my knowledge. I mean I didn't  
 8 confer with anybody in the district office at  
 9 that time. I thought that it was something  
 10 that Ms. Reinking needed to work out with  
 11 Mr. Girvin and with Stacy.

12      Q. Okay. The picture, the posting,  
 13 Buffington 1, in your opinion does that  
 14 promote underage drinking?

15      A. I -- I wouldn't -- I wouldn't say  
 16 that that's the case. I -- I -- I don't know  
 17 enough about the picture. I don't know what  
 18 the drink is. I just think that it -- it  
 19 doesn't look like the professional educator.

20      Q. So Mr. Seldomridge decided that  
 21 Ms. Snyder shouldn't return to Conestoga  
 22 Valley on May 9th and 10th. Correct? Right?

23      A. Yes. And what has happened in the  
 24 past with other situations -- and I have had  
 25 two of them in my own department. So I think

1 that what he needed to do was get more  
 2 information at that point, and because  
 3 Ms. Reinking was so terrifically upset, that  
 4 gave some time.

5       I mean had it been earlier in the  
 6 semester that would have been one thing, but  
 7 we were winding down and the evaluation was  
 8 coming just a few days later.

9       Q. Okay. Did you have another  
 10 conversation with Mr. Seldomridge after this  
 11 first conversation that you described?

12      And let me explain. As I understand  
 13 it, when you and he finished speaking he said  
 14 he needs more information, he went to talk to  
 15 Ms. Reinking. That was on the 8th. And then  
 16 on the 11th -- no. I'm sorry. And so it was  
 17 later that day that you told Ms. Snyder she  
 18 couldn't return to the school?

19      A. Right.

20      Q. Did you have any more conversations  
 21 with Mr. Seldomridge before -- before the May  
 22 11th meeting?

23      A. I don't think so. If there had been  
 24 any conversations, that would have probably  
 25 been a phone conversation that he needed more,

1 additional information from Ms. Reinking.

2       Q. Okay. Did you advise Ms. -- were  
 3 there any other prohibitions that you -- that  
 4 CV placed on Ms. Snyder at that point?

5       A. No.

6       Q. The semester was ending, that -- I  
 7 mean her evaluation --

8       A. For her it was. I mean her students  
 9 continued until early June, of course.

10      Q. Okay.

11      A. But that was her last week of student  
 12 teaching.

13      Q. Did you tell Ms. Rein -- Ms. Snyder  
 14 that she should not interact with Conestoga  
 15 Valley students at all?

16      A. I don't believe that I said that. I  
 17 just -- I just told her that she should come  
 18 back on the 11th to meet with Mrs. Reinking  
 19 and Mr. Girvin.

20      Q. Look at the documents in front of  
 21 you. The first document at the bottom it says  
 22 CVSD 185 and 186.

23       MR. KRAMER: And we'll mark this as  
 24 Buffington 2.

25       MR. KELIN: The two pages?

1 MR. KRAMER: The two pages, yes.  
 2 (Buffington Deposition Exhibit Number  
 3 2 was marked for identification.)  
 4 BY MR. KRAMER:  
 5 Q. This isn't -- it's a two-part -- it's  
 6 a -- two emails. The bottom from  
 7 Ms. Reinking. The top one from you. Right?  
 8 A. Uh-huh.  
 9 MR. KELIN: Barry, I don't see  
 10 those. Where are you looking?  
 11 MR. KRAMER: It's on top.  
 12 MR. VOIGT: Mine doesn't have numbers  
 13 on it.  
 14 MR. KRAMER: That's weird because  
 15 mine does.  
 16 MR. KELIN: Actually -- off the  
 17 record.  
 18 (Discussion held off the record.)  
 19 BY MR. KRAMER:  
 20 Q. As I read your email, it seems --  
 21 good job delineating the problems, Nikke. I  
 22 know this took time. Thanks for taking care  
 23 of it promptly.  
 24 Did you tell Ms. Reinking to prepare  
 25 a document of some kind?

1 A. I think a final instruction from  
 2 Mr. Seldomridge, that she should do so.  
 3 Q. Okay. Are you -- are you certain  
 4 about that? You're not sure? What do you  
 5 remember about that?  
 6 A. My recollection is that  
 7 Mr. Seldomridge told me that he would like to  
 8 have more information, could I go back to  
 9 Mrs. Reinking and have her give him a listing  
 10 of some of the problems that took place over  
 11 the course of the semester. And then she --  
 12 she would have assembled this for him.  
 13 Q. All right. If you would look on the  
 14 second page, the top, captioned unprofessional  
 15 behavior/performance in the classroom. And my  
 16 question is: As to each of these, during the  
 17 semester, did Ms. Reinking advise you of each  
 18 incident contemporaneous with it occurring?  
 19 A. You'll have to give me time to read  
 20 this.  
 21 Q. Right. Yes. Take as much time as  
 22 you need. I don't mean to rush you.  
 23 A. The song yes. The Valentine's Day  
 24 situation, yes. The foul language, yes.  
 25 Ms. Snyder using shut up herself to quiet the

1 student, yes. Directing Ms. Snyder not to  
 2 have discussions about MySpace with her  
 3 students, yes. Chain of command channels,  
 4 yes. Professional dress, yes.  
 5 I didn't know about the teacher --  
 6 the other teacher talking about Ms. Snyder  
 7 preparing in the back of the room rather than  
 8 observing. I did not know that until reading  
 9 this now.  
 10 Q. All right. That's the second to the  
 11 last?  
 12 A. Second to the last.  
 13 Q. Okay.  
 14 A. But the last sentence in that second  
 15 to last paragraph I -- I did know about  
 16 because I observed it at department meetings  
 17 and at faculty meetings.  
 18 Q. Okay.  
 19 A. Last one, yes.  
 20 Q. All right.  
 21 A. In fact, I talked to the teacher. I  
 22 did speak with the department colleague that  
 23 overheard Ms. Snyder making the appointment.  
 24 Q. And who was that?  
 25 A. Her name is Arashay Borden, who is

1 now deceased.  
 2 Q. The third page, the lyrics of the  
 3 song, do you recall if they were attached to  
 4 this email?  
 5 A. I wasn't even certain that this was  
 6 an email. I don't know whether she sent this  
 7 as an email or whether she handed me the  
 8 paper.  
 9 Q. Well, on -- if you look at  
 10 Ms. Reinking's email to you, Kim, Barry,  
 11 Deann, attached please find a Word document.  
 12 A. Attached, okay.  
 13 Q. Does that refresh your recollection?  
 14 A. Yes.  
 15 Q. What, if anything, did you do with  
 16 this document, the CVSD 186 upon receiving it?  
 17 A. At that -- at that point I had  
 18 started a folder with the MySpace picture, and  
 19 I perhaps made a copy of that. Again, just to  
 20 have that on file for Mr. Seldomridge. And he  
 21 solicited that information from Ms. Reinking,  
 22 from me. He said, what -- what do you have?  
 23 I would like to have that information.  
 24 Q. Okay. Turn to the next.  
 25 A. Regarding the song?

1       Q. I'm sorry.  
 2       A. You asked me about this song.  
 3       Q. Yeah, that's right.  
 4       A. I had not seen the song.  
 5       Q. Okay.  
 6            MR. KELIN: Did we produce this to  
 7       you, Barry?  
 8            MR. KRAMER: I don't remember.  
 9            MR. KELIN: It's not Bates stamped.  
 10      That's for sure.  
 11      A. This is Nicole's handwriting. I can  
 12     tell that this is her handwriting right here.  
 13     BY MR. KRAMER:  
 14      Q. Where it says where the song was  
 15     stopped?  
 16      A. Yes.  
 17            MR. KRAMER: Howard, I don't know.  
 18     BY MR. KRAMER:  
 19      Q. Have you seen these lyrics before  
 20     today?  
 21      A. No. I just knew that there was a  
 22     song that was played that had profanity in it.  
 23      Q. Okay. All right. Let's go to the  
 24     next documents, and that is two pages, the  
 25     first page being -- well, it's printed, I

1 presume, by you, Ms. Buffington?  
 2       A. Uh-huh.  
 3       Q. It's from Stacy Snyder to Nicole  
 4     Reinking, et al. and attached is a letter  
 5     dated May 10th, 2006 from Ms. Snyder. What is  
 6     this page? Have you seen this before?  
 7       A. I have seen it before.  
 8       Q. And tell me what it is just for the  
 9     record.  
 10      A. It was a letter of apology that she  
 11     sent to us.  
 12      Q. Do you recall receiving it on May  
 13     10th, on or about May 10th?  
 14      A. I see that it's dated the 10th, so  
 15     I'm assuming that it was sent at that point.  
 16      Q. And -- and do you recall receiving  
 17     this via email?  
 18      A. Oh, I recall receiving it, yes.  
 19      Q. Okay. And did you have a reaction to  
 20     it, to this letter? And please take your time  
 21     if you want to review it.  
 22      A. Okay. I remember when I read -- not  
 23     the attachment but her email, my reaction was  
 24     to the last sentence, which, once again,  
 25     confirmed for me that she has some difficulty

1 with the English language. Thank you for your  
 2 time and regret the circumstances which evolve  
 3 it.  
 4       Q. And what's wrong with that, please?  
 5       A. Well, she's missing a comma before  
 6     and. She did not put the word I in, the  
 7     pronoun I in. I regret the circumstances,  
 8     which evolve is misused in that sentence.  
 9       Q. And the next page, which is the  
 10     letter itself. Did you have a reaction to  
 11     that?  
 12      A. Well, I would also --  
 13      Q. Oh, I'm sorry.  
 14      A. I would also like to share, too, that  
 15     she wrote a letter of apology which indicated  
 16     to me that she knew that she was in the wrong.  
 17      Q. How so?  
 18      A. People obviously don't apologize  
 19     unless there's been some kind of mistake that  
 20     has occurred or problem that has developed.  
 21      Q. Sure. All right.  
 22      A. You want me to react now to this?  
 23      Q. Yes, please. Review it.  
 24      A. In detail?  
 25      Q. Yes, please.

1            MR. KELIN: You want to know what her  
 2     reaction was at the time?  
 3            MR. KRAMER: Yes.  
 4            MR. KELIN: To the letter?  
 5            MR. KRAMER: Yes, I do.  
 6            MR. KELIN: Off the record.  
 7            (Discussion held off the record.)  
 8            A. I remember zeroing in on the second  
 9     paragraph that says this incident has caused  
 10     me to open my eyes and realize that I am the  
 11     only person to blame. I have to take full  
 12     responsibility for my actions and live with  
 13     the consequences determined by the  
 14     administrative staff from Conestoga Valley  
 15     High School and Millersville University.  
 16            To me that, in essence, was the  
 17     purpose for this letter.  
 18            And then the last -- the very last  
 19     paragraph, again, her use of the English  
 20     language again confirmed to me that she just  
 21     doesn't have a grasp on good writing. Even  
 22     though it is not under the best circumstances,  
 23     I look forward to seeing each and -- everyone  
 24     should actually be two words -- of you to  
 25     discuss and -- elevate is misused -- this

1 issue.  
 2 BY MR. KRAMER:  
 3 Q. This letter was addressed to you,  
 4 among other people?  
 5 A. Yes.  
 6 Q. Did you -- did you accept this as a  
 7 letter of apology?  
 8 MR. KELIN: Objection to form.  
 9 BY MR. KRAMER:  
 10 Q. You can answer.  
 11 A. It is what it is. It is a letter of  
 12 apology.  
 13 Q. Did you think that -- at the time was  
 14 it your impression that it was a sincere  
 15 letter of apology?  
 16 A. She -- she states: I have a large  
 17 heart that only wants to help others, not harm  
 18 them. So she's -- she's obviously sharing her  
 19 feelings, and I have worked with students,  
 20 many students, thousands and thousands over  
 21 the years, and so I would take this to be an  
 22 apology.  
 23 Q. Okay. All right.  
 24 A. For the wrongdoing, for the posting.  
 25 MR. VOIGT: Mark.

1 Q. Okay. That's my only question.  
 2 Okay. Go to the next page, please.  
 3 Sorry. Skip one more. It says at the top in  
 4 handwriting, email that -- looks like -- I  
 5 planned to send to the --  
 6 A. To MU.  
 7 Q. To MU. Is that your handwriting at  
 8 the top?  
 9 A. Right.  
 10 MR. KRAMER: Let's mark this as  
 11 Buffington 3 and 4.  
 12 (Buffington Deposition Exhibit  
 13 Numbers 3 and 4 were marked for  
 14 identification.)  
 15 (Discussion held off the record.)  
 16 BY MR. KRAMER:  
 17 Q. Okay. We'll mark this as Number 4.  
 18 Please explain to me what this is.  
 19 A. I felt at that point that I needed to  
 20 express frustration.  
 21 Q. When did you write this?  
 22 A. It must have been right after the  
 23 apology letter came with the email because I  
 24 reference that somewhere, I believe. Here.  
 25 Stacy's content knowledge, as is obvious from

1 BY MR. KRAMER:  
 2 Q. If you go, skip over the next two  
 3 pages and we're going to go to this little  
 4 note.  
 5 A. Okay.  
 6 MR. KELIN: I -- I can't read that.  
 7 THE WITNESS: Yeah.  
 8 BY MR. KRAMER:  
 9 Q. Yes. Did you write this?  
 10 A. Did I write this?  
 11 MR. KELIN: I'll just state for the  
 12 record I can't read it, so I don't know what  
 13 it is you're referring to.  
 14 BY MR. KRAMER:  
 15 Q. Yes. Well, its says: Does not  
 16 respect professional boundaries, something.  
 17 All I want to know is if you wrote it.  
 18 A. I --  
 19 MR. KELIN: Well, hold on. You're  
 20 asking if she wrote it. I can't read it. I  
 21 don't know how anyone would tell if they wrote  
 22 it or not.  
 23 MR. KRAMER: Sure.  
 24 A. No. No.  
 25 BY MR. KRAMER:

1 the numerous errors in this memo and letter  
 2 because of her lack of knowledge about the  
 3 English language, is one factor.  
 4 Okay. So it must have been in  
 5 response to the email with the attached letter  
 6 of apology.  
 7 Q. So just to be clear, the handwriting  
 8 at the -- on the top is yours and --  
 9 A. And I'm not sure when I wrote that.  
 10 I may have done that when this case surfaced.  
 11 Q. When it was filed?  
 12 A. Right.  
 13 Q. When the lawsuit was filed?  
 14 A. Right.  
 15 Q. All right. And the other part you --  
 16 you, I presume, typed on your computer --  
 17 A. I did.  
 18 Q. -- at some point?  
 19 A. I did.  
 20 Q. Could you amplify what you mean by  
 21 the first sentence?  
 22 A. It was just an opinion because of the  
 23 day-to-day meetings with Ms. Reinking and her  
 24 frustrations, not only with the lack of  
 25 competency in English background, but also the

<p style="text-align: right;">Page 70</p> <p>1 lack of professionalism.</p> <p>2 Q. And the lack of professionalism</p> <p>3 refers to what?</p> <p>4 A. The entire semester.</p> <p>5 Q. All right. It says here at Conestoga</p> <p>6 Valley, if a teacher receives an</p> <p>7 unsatisfactory rating in the professionalism</p> <p>8 category on the state form, the teacher</p> <p>9 receives an unsatisfactory rating overall.</p> <p>10 What does that refer to?</p> <p>11 A. Principals, supervisors, those of us</p> <p>12 that can evaluate, we have to prepare at</p> <p>13 midyear, for teachers who are non-tenured and</p> <p>14 at the end of the year for all employees, an</p> <p>15 evaluation sheet.</p> <p>16 Q. And that's some PDE form?</p> <p>17 A. It is. Well, PDE had its own forms,</p> <p>18 and then they gave the districts the</p> <p>19 opportunity to devise their own form, which</p> <p>20 needed to be in sync and then they approved</p> <p>21 that.</p> <p>22 Q. Okay.</p> <p>23 A. So just within the last couple of</p> <p>24 years we had a committee assemble an</p> <p>25 evaluation form for teachers, and there are</p>	<p style="text-align: right;">Page 72</p> <p>1 unsatisfactory, then at the district office</p> <p>2 level they would be dealing with what would</p> <p>3 have to happen to the teacher.</p> <p>4 Q. Did you ever email this Buffington</p> <p>5 Number 4 to anybody?</p> <p>6 A. I -- I have talked with Howard about</p> <p>7 that, and I don't know whether I did or not.</p> <p>8 I don't know if I wrote it and gave it to</p> <p>9 Mr. Girvin. I don't know if I emailed it. I</p> <p>10 don't know if I wrote it and then just kept a</p> <p>11 copy of it.</p> <p>12 Q. At the top you wrote email that I</p> <p>13 planned to send to MU.</p> <p>14 A. Right. When we went back to look to</p> <p>15 see if we could find this in deleted email, it</p> <p>16 didn't appear. But I may have sent it. I --</p> <p>17 I don't recall.</p> <p>18 Q. Let's go to the last page, please.</p> <p>19 We're going to mark that as -- I forgot.</p> <p>20 Number 5.</p> <p>21 (Discussion held off the record.)</p> <p>22 (Buffington Deposition Exhibit Number</p> <p>23 5 was marked for identification.)</p> <p>24 BY MR. KRAMER:</p> <p>25 Q. We're going to mark that as</p>
<p style="text-align: right;">Page 71</p> <p>1 four different categories for the teachers.</p> <p>2 Q. Okay.</p> <p>3 A. And one of them is professionalism.</p> <p>4 Q. All right. And so what did you mean</p> <p>5 when you wrote what you wrote?</p> <p>6 A. On those forms, if a teacher receives</p> <p>7 an unsatisfactory in any of the four, one</p> <p>8 being preparation, one is classroom</p> <p>9 management, I believe, or classroom</p> <p>10 environment, one is professionalism, and I</p> <p>11 don't recall the fourth. I should know it,</p> <p>12 but my mind is not working as well as it</p> <p>13 should be right now.</p> <p>14 In any of those areas, if a teacher</p> <p>15 receives an unsatisfactory, then the teacher</p> <p>16 is rated overall unsatisfactory.</p> <p>17 Q. And what does that mean in terms of</p> <p>18 the teacher's career?</p> <p>19 A. For -- I don't -- I don't know what</p> <p>20 it means for other districts, but at our</p> <p>21 district, if the teacher receives an</p> <p>22 unsatisfactory the first time, then the</p> <p>23 teacher goes into a teacher's support</p> <p>24 program. And then beyond that, it would be --</p> <p>25 if it would occur again, another</p>	<p style="text-align: right;">Page 73</p> <p>1 Buffington 5. Will you please read the first</p> <p>2 line on that and tell me if that refreshes</p> <p>3 your recollection?</p> <p>4 MR. KELIN: Out loud or to herself?</p> <p>5 MR. KRAMER: Out loud.</p> <p>6 A. Wenrich notes: Re: Stacy Snyder</p> <p>7 from conversation with Deann Buffington,</p> <p>8 Department Chair, 2/20/07.</p> <p>9 BY MR. KRAMER:</p> <p>10 Q. Earlier you spoke about speaking with</p> <p>11 somebody --</p> <p>12 A. Right.</p> <p>13 Q. -- from Millersville.</p> <p>14 A. And I couldn't remember if it was</p> <p>15 Jane Bray or Judy Wenrich. And I believe that</p> <p>16 Judy Wenrich was in for Jane Bray because of</p> <p>17 Jane Bray's health issues. That's what I'm</p> <p>18 recalling.</p> <p>19 Q. Do you -- did you -- did Dr. Wenrich</p> <p>20 call you at some -- you know, in February '07?</p> <p>21 A. She did.</p> <p>22 Q. Okay. And what did she say to you?</p> <p>23 A. This was, I believe, in response to</p> <p>24 the case that had developed or -- no. I think</p> <p>25 that she was one of the first persons to tell</p>

1 me that -- that Stacy was -- had a claim  
 2 against Millersville or whatever.  
 3 Q. All right. I'd like you to go down  
 4 the list and, you know, review the list in  
 5 your mind. You don't need to read it out  
 6 loud. And on each item if you would have  
 7 comment, comments, additional comments that  
 8 you've got that we haven't already touched on  
 9 here that you could amplify?

10 MR. KELIN: So that I'm clear, as  
 11 she's going down through each item --

12 MR. KRAMER: Yes.

13 MR. KELIN: -- if there's anything --

14 MR. KRAMER: We haven't talked about  
 15 so far.

16 MR. KELIN: Other than what she's  
 17 previously said?

18 MR. KRAMER: What we've not  
 19 discussed. We don't need to repeat some stuff  
 20 that we've already talked about.

21 A. Beyond belief seems to be an  
 22 exaggeration here, but I think it was regard  
 23 -- with regard to other student teachers and  
 24 their behaviors.

25 Q. Okay.

1 A. I think there is no way that she  
 2 should have a teaching certificate was at that  
 3 point confirming what Millersville had done,  
 4 had decided to do.

5 Q. Okay.

6 A. Well, it was intended as a letter of  
 7 apology, I mean I accepted it as a letter of  
 8 apology, but I also thought that -- if I could  
 9 go back and look at the letter -- there were  
 10 paragraphs where she listed her  
 11 accomplishments. And so I think that was what  
 12 I meant here by saying that she was justifying  
 13 her accomplishments or her experiences.

14 Q. Okay.

15 A. The next statement, we wouldn't  
 16 tolerate teachers who acted as she had. We  
 17 wouldn't tolerate teachers with that lack of  
 18 preparation. I think that reflects that we  
 19 were in there -- in the trenches. I shouldn't  
 20 say we. Nicole was and, of course, I again  
 21 was the confidante, the sounding board, trying  
 22 our best to have Stacy be successful.

23 And Nicole was so frustrated at  
 24 midterm and really wanted to find a different  
 25 placement for Stacy, but that didn't happen.

1 Q. Do you know why that didn't happen?  
 2 A. I don't know why it didn't happen.

3 Q. Okay.

4 A. Again, just from all the interactions  
 5 that I had with Nicole, my comment I don't see  
 6 how she could get a satisfactory rating was  
 7 simply in response to the areas that Nicole  
 8 had noted on the --

9 Q. And when you refer to her getting a  
 10 satisfactory rating, are you referring to  
 11 Ms. Reinking's evaluation of Ms. Snyder?

12 A. No. I think --

13 MR. KELIN: First of all, let me just  
 14 say you're -- you're asking did she refer.  
 15 These aren't her notes. These are Judy  
 16 Wenrich's.

17 A. Yeah, they are. They're not mine.

18 MR. KELIN: You're assuming it  
 19 accurately reflects --

20 MR. KRAMER: Well --

21 MR. KELIN: -- the conversation.

22 MR. KRAMER: Okay.

23 A. And, of course, I wasn't taking  
 24 notes, nor did she ask me to email her my  
 25 comments. So --

1 BY MR. KRAMER:

2 Q. Do you have any recollection of the  
 3 conversation?

4 A. Oh, I do have recollection of the  
 5 conversation, yes.

6 Q. Okay.

7 A. And I shared with her my feelings  
 8 about the whole experience with Stacy.

9 Q. Is there -- are there feelings that  
 10 you shared with her that you don't see  
 11 reflected on this page?

12 A. I don't believe so.

13 Q. Okay. Is the -- are the -- are  
 14 Dr. Wenrich's notes accurate?

15 A. This -- I don't know about we didn't  
 16 want to take Foundations Block students. Just  
 17 the whole wariness of, just sort of a caution  
 18 going up, because of the bad experience, and  
 19 the analogy that I would use here is that when  
 20 we have a bad experience at a restaurant we  
 21 might not want to go back to that restaurant.  
 22 And it was sort of the same thing.

23 And I've had student teachers in the  
 24 past myself, many, some that were excellent,  
 25 some that were not good at all, and after a

1 bad experience oftentimes teachers just say --  
 2 they might announce, I'll never take another  
 3 student teacher again or I don't know if I can  
 4 do this again.

5 Q. All right.

6 A. And it's a typical reaction after a  
 7 bad experience.

8 MR. VOIGT: Mark.

9 BY MR. KRAMER:

10 Q. But you did say, if I recall  
 11 correctly, that since spring 2006 you have  
 12 taken Millersville student teachers?

13 A. We have never not been without junior  
 14 block students or student teachers. And, in  
 15 fact, just this past year I hired two  
 16 Millersville -- I mean I didn't hire them.  
 17 Our district hired them after a second round  
 18 interview. I participated in the first round  
 19 interview and then sent them off to -- these  
 20 candidates off to Dr. Huesken and to Dr. Mann,  
 21 and we hired two Millersville University  
 22 students for the communications department.

23 And, in fact, one of the -- we're  
 24 looking at a replacement for Nicole after her  
 25 maternity leave begins and one of those is a

1 student who did a -- a Millersville student  
 2 who did her junior block experience with us  
 3 and that would have been, I think, perhaps the  
 4 same -- at the same time that Stacy was a  
 5 student teacher, and then she did her student  
 6 teaching with one of the other department  
 7 members last semester, and she is one of our  
 8 candidates that's actually interviewing  
 9 probably right now.

10 Q. Okay. In the center it says, quote,  
 11 she made derogatory statements -- comments  
 12 about Nicole (co-op) and the school. What  
 13 does that refer to?

14 A. Twofold. The derogatory comments  
 15 about Nicole is in reference to Stacy's  
 16 sharing midterm evaluation comments with  
 17 students. But also in reference to the  
 18 MySpace posting.

19 Q. Okay.

20 MR. VOIGT: Mark.

21 BY MR. KRAMER:

22 Q. Okay. Above that like three or four  
 23 lines, it says her behavior was the straw that  
 24 broke the camel's back. And I'm sorry if I  
 25 asked you this. Did you ever share that

1 sentiment with Mr. Girvin?

2 MR. KELIN: Do you know that term,  
 3 straw that broke the camel's back?  
 4 MR. KRAMER: Well, that's why I used  
 5 the word sentiment.

6 A. I did say that earlier today in our  
 7 session today.

8 BY MR. KRAMER:

9 Q. Yeah.

10 A. I did use that.  
 11 Q. Yeah.  
 12 A. The MySpace posting was a culmination  
 13 of all of the other behaviors that we -- when  
 14 I say we, mostly Mrs. Reinking, observed, but  
 15 that I also observed or at least heard about.

16 Q. All right.

17 A. And, of course, that -- had that  
 18 MySpace posting not occurred, there would have  
 19 been no reason for me to contact  
 20 Mr. Seldomridge.

21 MR. VOIGT: Mark.

22 BY MR. KRAMER:

23 Q. The last line, quote, we were very  
 24 wary to get back on board placing MU students,  
 25 end quote. Did you tell that to anybody at

1 MU?

2 A. I'm sorry. Where are you?

3 Q. The very last line, that you were  
 4 wary about -- to get back on board placing MU  
 5 students.

6 A. I probably did say that.

7 Q. Do you know who you told that to?

8 A. Probably to Judith Wenrich.

9 Q. How about in May '06 when this was  
 10 occurring?

11 A. Only in reference to the -- the one  
 12 statement here that it wouldn't be a surprise  
 13 to me if the teachers wouldn't volunteer  
 14 again.

15 Q. Cooperating teachers volunteer to be  
 16 cooperating teachers?

17 A. That's right.

18 Q. Okay. I have no more questions.

19 Thank you.

20 MR. VOIGT: Do you want to press on  
 21 or do you want to give the witness a break?

22 THE WITNESS: I'm okay.

23 MR. VOIGT: I've got quite a bit.  
 24 MR. KELIN: Well, let's take a --  
 25 let's take -- why don't we take a break?

1      response to the problems that you	1      take it that's your signature at the
2      were discussing as of March 1, 2006?	2      bottom; right?
3      A. Well, she had a lot of time to	3      A. Yes, it is.
4      sit down with, you know, with Ms.	4      Q. All right. And you say here
5      Snyder and she did some observations	5      she researched the topic and prepared
6      of Ms. Snyder on her own, and you	6      an excellent handout; do you see
7      know, wrote up lessons and went over	7      that?
8      it with her. And as I recall, they	8      A. Yes.
9      were pretty detailed.	9      Q. And you agree with that
10     And I'm not sure how many	10     statement?
11     written ones she did, but I mean	11     A. Yes.
12     there was several. Every day she	12     Q. And you say here that Stacy
13     would have talked to her about those,	13     was confident about her content and
14     the lesson and ---.	14     her approach; do you agree with that?
15     Q. Did you attend any of those	15     A. Yes.
16     meetings between Ms. Snyder and Ms.	16     Q. All right. And you go on to
17     Reinking where they were discussing	17     say that Stacy responded quickly to
18     future lesson plans?	18     discipline situations; is that right?
19     A. Well, the three of us	19     A. That's correct.
20     discussed future lesson plans, but I	20     Q. And you complimented Stacy for
21     mean I didn't attend any of their	21     the use of music, familiar music
22     private meetings because they were	22     examples; do you see that?
23     private. There's a connection	23     A. Yes.
24     between the cooperating teacher --- a	24     Q. So you thought that Stacy's
25     bond between a cooperating teacher	25     use of music was appropriate at that

1      and the student teacher that I think	1      time; is that correct?
2      both of them feel that to some extent	2      A. Yes.
3      they can solve their problems without	3      Q. And did you speak to Stacy
4      running to the boogeyman.	4      after this evaluation?
5      Q. Is that the way you talk to	5      A. Yes.
6      yourself? You've thought of yourself	6      Q. How did that evaluation ---
7      as the boogeyman; is that ---?	7      how did that conference go?
8      A. You know, as the supervisor,	8      A. It went very well. What's
9      you know, like if you can't handle	9      missing here is the two observations
10     your problems you go and ---.	10     I did on --- well, wait a minute.
11     Q. So when you say that there	11     That's not right, 4/6.
12     should be a bond between the	12     Q. Well, we'll get to those.
13     cooperating teacher and the student	13     Let's focus on March 9th.
14     teacher, you would refer to that bond	14     A. As I recall, this was the new
15     as a two-way street; right? The	15     class, you know, the class she hadn't
16     student teacher and the cooperating	16     had before. And so I had the
17     teacher must have a give and take; is	17     impression that she had gotten the
18     that correct?	18     message and that she was getting off
19     A. Yes.	19     on the right foot with the new class.
20     Q. Okay. Turn to page three.	20     And so I had the conference went very
21     The notes that you prepared ---.	21     well.
22     A. Page three?	22     Q. All right. Turn to
23     Q. P-44, page three.	23     Plaintiff's 42, please. This is an
24     A. Okay. I'm with you.	24     evaluation by an unnamed student at
25     Q. Yes. The March 9 note, and I	25     Conestoga Valley High School.

1 Parent's (sic) 42, page one.  
 2 A. Yeah, I got it.  
 3 Q. The name is blacked out all  
 4 except for the letter B. You don't  
 5 happen to recognize this student with  
 6 his handwriting?  
 7 A. No.  
 8 Q. Have you ever seen this  
 9 document before?  
 10 A. Not that I recall.  
 11 Q. Well, under question eight  
 12 there at the bottom there. It says  
 13 least favorite teacher, Mrs.  
 14 Reinking, because we don't get along.  
 15 Did you ever review this document  
 16 before denying Stacy her Bachelor of  
 17 Science in Education degree?  
 18 ATTORNEY KRAMER:  
 19 Objection. He's never  
 20 seen the document before and  
 21 he didn't deny her her  
 22 Bachelor of Science degree. I  
 23 don't know how he can answer  
 24 this because he's never before  
 25 ---.

1 or so that she taught. If I saw 10  
 2 or 12 to compare that would --- add  
 3 some significance there.  
 4 Q. Turn to page four of the same  
 5 document. This is an evaluation by  
 6 another student in 12th grade at ---  
 7 they're not numbered.  
 8 A. Okay. I'm with you now.  
 9 Q. This is an evaluation by  
 10 another student at the Conestoga  
 11 Valley High School; correct?  
 12 A. Uh-huh (yes).  
 13 Q. Is that a yes?  
 14 A. Yes.  
 15 Q. Okay.  
 16 A. If you say it is, yes.  
 17 Q. All right. Well, it says  
 18 Conestoga Valley High School in  
 19 question two; correct?  
 20 A. Correct.  
 21 Q. Okay. Now, look under  
 22 question eight then.  
 23 A. Yes.  
 24 Q. It says who are your favorite  
 25 teachers, be honest. And the answer

1 ATTORNEY VOIGT:  
 2 Well, if he's never  
 3 seen it before, then the  
 4 answer will be self-evident.  
 5 BY ATTORNEY VOIGT:  
 6 Q. Did you ever review this  
 7 document before the events of May  
 8 2006?  
 9 A. No.  
 10 Q. Would it have been useful to  
 11 know that at least one of the  
 12 students in Ms. Reinking's class  
 13 thought that she was his or her least  
 14 favorite teacher?  
 15 A. Not --- no, not at all.  
 16 Q. Why not?  
 17 A. Well, if you're standing in  
 18 front of 150 students, how would you  
 19 like to be evaluated based on what  
 20 one had to say about you?  
 21 Q. So the individual students  
 22 don't matter, their views and such?  
 23 Is that what you're saying?  
 24 A. They matter, but this is not a  
 25 survey. It's one student out of 90

1 lists four teachers. Mrs. Reinking  
 2 is not one of them; correct?  
 3 A. That's correct.  
 4 Q. How many students would a 12th  
 5 grader at Conestoga Valley High  
 6 School --- strike that.  
 7 How many teachers would a  
 8 student at Conestoga Valley High  
 9 School have during his 12th grade  
 10 year?  
 11 A. Eight or ten. With the block  
 12 they would have fewer than they would  
 13 have if they had the old-style ---.  
 14 Q. Okay. So we can assume that  
 15 Mrs. Reinking was not among the  
 16 student's top four out of the eight  
 17 or ten that year she had that year;  
 18 correct?  
 19 ATTORNEY KRAMER:  
 20 I'll object. The  
 21 document speaks for itself.  
 22 The profession speaks for  
 23 itself.  
 24 BY ATTORNEY VOIGT:  
 25 Q. Would you have wanted to see

<p style="text-align: right;">Page 90</p> <p>1       <b>this document before the events of</b>      2       <b>May 2006?</b></p> <p>3       A. No. If I had these documents      4       from a proper sampling, the answer      5       would be yes.</p> <p>6       Q. Turn to Plaintiff's 45,      7       please, page one. This is your mid-      8       evaluation; is that correct?</p> <p>9       A. Yes, using the Millersville      10      form.</p> <p>11      Q. Yes. And it's dated March 17      12      of 2006 on the third page of the      13      exhibit, so you prepared it about      14      that time?</p> <p>15      A. Yes.</p> <p>16      Q. Other than the visits that we      17      discussed, prior to preparing this      18      mid-evaluation, you did not observe      19      Ms. Snyder during class any other      20      times; is that right? We discussed      21      certain visits that you made. There      22      are no other visits that you made;      23      are there?</p> <p>24      A. Yes. My official evaluations      25      --- I had to do six official ones,</p>	<p style="text-align: right;">Page 92</p> <p>1       Q. Okay. Did you speak to Ms.      2       Reinking following those visits?</p> <p>3       A. Sometimes.</p> <p>4       Q. All right.</p> <p>5       A. Depended on whether she was      6       available.</p> <p>7       Q. Okay. Now, turning back to      8       Plaintiff's 45.</p> <p>9       A. Yes.</p> <p>10      Q. Under professionalism, first      11      one, adheres to the Pennsylvania      12      Professional Code of Ethics copyright      13      and privacy laws, you graded her G,      14      good progress evidence; is that      15      correct?</p> <p>16      A. That's correct.</p> <p>17      Q. And that was accurate as of      18      the time that you wrote this; is that      19      correct?</p> <p>20      A. Yes. I felt that was proper.</p> <p>21      ATTORNEY KRAMER:      22      The authenticity of      23      this document ---.</p> <p>24      BY ATTORNEY VOIGT:      25      Q. And also on page one of</p>
<p style="text-align: right;">Page 91</p> <p>1       which I sat in for the whole 90      2       minutes. Now, instead of doing six,      3       I did seven. But I have a way of      4       just dropping in from time to time      5       and not writing anything down, just      6       sitting in for ten minutes or so to      7       see how things are going and then be      8       on my merry way. So I did that on a      9       number of occasions.</p> <p>10      Q. Do you remember the dates of      11      those ---?</p> <p>12      A. Yes, I have that if you would      13      like. I could find it out for you.      14      I have them someplace.</p> <p>15      Q. Did you keep any personal      16      notes from those visits?</p> <p>17      A. No, I didn't. Let's see ---      18      visits.</p> <p>19      Q. Did you speak to Stacy      20      following those visits?</p> <p>21      A. Usually. It depended, you      22      know. If she was in the middle of a      23      class and I had to go to the middle      24      school, then I wouldn't. But usually      25      I did.</p>	<p style="text-align: right;">Page 93</p> <p>1       Parent's (sic) 45, you had an N,      2       needs significant remediation for      3       demonstrates in-depth understanding      4       of the subject matter; do you see      5       that?</p> <p>6       A. Yes.</p> <p>7       Q. What did you mean by that?</p> <p>8       A. I meant that she made a lot of      9       mistakes in class. Grammatical      10      mistakes, content mistakes. I'm      11      certified in English and my long suit      12      is literature. And you know, I not      13      only detected mistakes in grammar,      14      but also mistakes in interpretation      15      and mistakes in content, having to do      16      with literature.</p> <p>17      And I mean, I talked to her      18      many times about these things. I      19      mean, I tried to lead her by the hand      20      and say, look, this is something you      21      need to do better. You need to do      22      more prep just for that part of your      23      lesson.</p> <p>24      Q. All right. Did you take any      25      steps to help Stacy in that regard,</p>

1       such as organizing and mentoring  
 2       program for her?  
 3       A. Well, I felt I was a mentor in  
 4       the program.  
 5       Q. Okay.  
 6       A. I did my best to try to help  
 7       her see not only the aspect of a  
 8       lesson having to do with keeping on  
 9       schedule and maintaining discipline,  
 10      but also in the proper content.  
 11      Q. All right. Did you arrange to  
 12      meet with Stacy on a periodic basis  
 13      where you would review the content of  
 14      her proposed lesson plans?  
 15      A. Every time I met with her  
 16      after the observations ---  
 17      Q. Okay.  
 18      A. --- we did this, and I also  
 19      reviewed her CIRQL unit on a number  
 20      of occasions.  
 21      Q. All right. Turn to page two  
 22      of Plaintiff's 45. You gave Stacy  
 23      N's on communication and classroom  
 24      management; is that right?  
 25      A. Yes.

1       of these observation right outside, I  
 2       describe one of the classes as a  
 3       disaster because it was as I  
 4       mentioned earlier, lulls in the  
 5       lesson where she is going from one  
 6       activity to the other, and the kids  
 7       were way out of line. And then she  
 8       couldn't get them back under control.  
 9       She got to the point where the  
 10      kids were playing with her, as she  
 11      had put up an overhead and some kid  
 12      would put his foot over and move the  
 13      projector so that, you know, things  
 14      would get ---. Things like that that  
 15      she either ignored or didn't notice.  
 16      And I was saying you've got to  
 17      have eyes in the back of your head.  
 18      I mean, you have to know what's going  
 19      on in that classroom and not let it  
 20      go by. And that's what I was talking  
 21      about.  
 22      Q. You've never observed this  
 23      class where these problems were  
 24      before Ms. Snyder became the student  
 25      teacher; correct?

1       Q. What was the basis for that?  
 2       A. Well, speaking of  
 3       communication, many times her lessons  
 4       fell apart because she didn't clearly  
 5       communicate to the students what her  
 6       expectations were. Part of that had  
 7       to do also with, you know,  
 8       grammatical errors and so forth.  
 9       But basically what I was  
 10      zeroing in on was that her  
 11      instructions, her communicating with  
 12      the class, not only in terms of  
 13      setting up, say, an activity and just  
 14      exactly what is supposed to happen  
 15      there, but also just in terms of her  
 16      style of questioning, which wasn't  
 17      deep. You know, she never asked  
 18      questions that would really get the  
 19      kids to think. It was more a rote-  
 20      type thing which she just might get  
 21      it over with and move on to the next  
 22      point.  
 23      And as far as the one on  
 24      classroom management, I think in one  
 25      of these lesson plans at her --- one

1       A. You mean the same kids?  
 2       Q. Same kids, yeah. You never  
 3       seen those kids before Ms. Snyder  
 4       began her student teaching; correct?  
 5       A. Correct.  
 6       Q. So you don't know if they were  
 7       discipline problems or angels before  
 8       Ms. Snyder came along; correct?  
 9       A. Well, no, but the class that  
 10      I'm referring to, there were --- you  
 11      know, there are two levels that are  
 12      at CVD. Let me see if can I remember  
 13      what they are. One's basically the  
 14      academic, college-bound kids and the  
 15      other one are the technical. And  
 16      this was an academic class, so ---.  
 17      Q. So your position is that  
 18      academic students never cut up in  
 19      class?  
 20      A. No. My position is that I  
 21      doubt whether there were any real bad  
 22      actors in there, but if you have a  
 23      discipline problem, it might be even  
 24      worse with these kinds of kids  
 25      because they're smart enough to think

1 of more ways to give you a hard time.  
 2 And in some cases, might know more of  
 3 the content than you do. And so, you  
 4 know, that all has to be taken into  
 5 consideration.

6 Q. Did Ms. Reinking teach these  
 7 same students during the fall  
 8 semester of 2005?

9 A. Yes.

10 Q. Would it not have been Ms.  
 11 Reinking's responsibility to teach  
 12 those students discipline during the  
 13 fall semester of 2005, even before  
 14 Ms. Snyder began her student  
 15 teaching?

16 A. Well, discipline for her own  
 17 teaching. But I mean, when you have  
 18 a student teacher, they have to  
 19 establish their own discipline, their  
 20 own management plan.

21 Q. Well, that wasn't the  
 22 question. My question was wouldn't  
 23 it have been Ms. Reinking's  
 24 responsibility to teach her class  
 25 discipline?

1 Q. You rated Ms. Snyder superior  
 2 in professionalism?  
 3 A. Yes.  
 4 Q. And you said that she usually  
 5 and extensively conducts herself in a  
 6 very professional manner; is that  
 7 correct?  
 8 A. That is correct.  
 9 Q. You didn't see any problems  
 10 with her professionalism at that  
 11 point; correct?  
 12 A. Well, I would have given her  
 13 the exemplary if I saw no problems,  
 14 but I didn't see anything unusual for  
 15 a student teacher.  
 16 Q. And you discussed your mid-  
 17 evaluation with Ms. Snyder?  
 18 A. Yes.  
 19 Q. When was that?  
 20 A. It was the same day that we  
 21 discussed the Millersville one,  
 22 whatever day that was. We sat down  
 23 together with co-op and Ms. Snyder  
 24 and I ---.  
 25 Q. On or about March 17th?

1 A. Well, yes, and for all I know  
 2 they were well-disciplined when she  
 3 taught them, but I don't think that  
 4 carries over. I mean ---.  
 5 Q. For all you know, they weren't  
 6 well-disciplined when she taught  
 7 them; correct?  
 8 A. That's true.  
 9 Q. Turn to Plaintiff's 46,  
 10 please. Page two of the exhibit, you  
 11 rated Ms. Snyder unsatisfactory in  
 12 classroom environment; is that  
 13 correct?  
 14 A. Yes.  
 15 Q. And you listed some  
 16 justifications for that at the bottom  
 17 of the page; is that correct?  
 18 A. Correct.  
 19 Q. And that's what we've been  
 20 discussing; right?  
 21 A. Correct.  
 22 Q. All right. And turn to page  
 23 four, it says the professionalism  
 24 section.  
 25 A. Yes.

1 A. Yeah, whatever day it was that  
 2 we did the Millersville form, because  
 3 there's --- you know, there's the  
 4 Millersville form and there was the  
 5 430 in there.  
 6 Q. Well, describe the meeting  
 7 that you had with Ms. Snyder. And I  
 8 take it Ms. Reinking was there; is  
 9 that right?  
 10 A. Yes.  
 11 Q. Describe the meeting, please.  
 12 A. It was kind of solemn because  
 13 Ms. Reinking's --- and of course  
 14 these evaluations on the Millersville  
 15 form went nowhere. I mean, as I  
 16 said, they were just ways of seeing  
 17 if we're on the same page.  
 18 Q. What do you mean by your  
 19 comment that these evaluations went  
 20 nowhere?  
 21 A. Well, what we said earlier,  
 22 the Millersville form, the official  
 23 one that goes in a letter is the one  
 24 at the end.  
 25 Q. Oh, okay.

<p>1       A. The one in the middle is just      2       to see if everybody agrees where      3       we're at.</p> <p>4       <b>Q. All right.</b></p> <p>5       A. And Ms. Reinking and I were      6       pretty much right on in terms of our      7       evaluations. And Ms. Snyder had      8       herself ranked up in the Gs and Rs in      9       almost everything, which was totally      10      unrealistic. And so I guess you      11      might say that I, at that point, kind      12      of tried to give her a dose of      13      realism. I did a lot of talking at      14      that conference, and was more or less      15      okay, you know, now is the time      16      things have to change if you want to      17      get through.</p> <p>18       <b>Q. You did not --- well, during      19       this meeting, you did not tell Ms.      20       Snyder that she should not be a      21       student teacher any longer; correct?</b></p> <p>22       A. No. No, I didn't.</p> <p>23       <b>Q. Neither did Ms. Reinking;      24       correct?</b></p> <p>25       A. No.</p>	<p>1       <b>Q. Yes.</b></p> <p>2       A. Yes, this is Ms. Reinking's.</p> <p>3       <b>Q. And on the first page, Ms.      4       Reinking gave Stacy a G in adhering      5       to the Pennsylvania Code of Ethics,      6       et cetera?</b></p> <p>7       A. Correct.</p> <p>8       <b>Q. Did you have any discussions      9       with Ms. Reinking other than what      10      we've already discussed concerning      11      her preparation of this document?</b></p> <p>12       A. Well, everything we've talked      13      about up to that point probably shows      14      up in here some place.</p> <p>15       <b>Q. Okay.</b></p> <p>16       A. But no, I haven't. I didn't      17      help her make this up, if that's what      18      you're saying.</p> <p>19       <b>Q. No. Turn to Plaintiff's 77.</b></p> <p>20       A. I'm with you.</p> <p>21       <b>Q. This is the Praxis scores that      22       Stacy received in or about March of      23       2006; correct?</b></p> <p>24       A. If you say so, I guess.</p> <p>25       <b>Q. Well, take a look at it and</b></p>
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<p>1       <b>Q. And you had it in your power      2       at that time to remove Ms. Snyder      3       from ---?</b></p> <p>4       A. Yes. I had discussed the      5       possibility with Ms. Reinking, and      6       she said no, I want to --- I think I      7       can work with her, you know ---.</p> <p>8       <b>Q. Okay. And you continued to      9       ---?</b></p> <p>10       A. Stacy knew nothing about that,      11      as far as I know. She did know that      12      she had to shape up if she wanted to      13      pass.</p> <p>14       <b>Q. Okay. Turn to Exhibit 65.      15       This is Ms. Reinking's mid-      16       evaluation; is that correct?</b></p> <p>17       A. Yes, it is.</p> <p>18       <b>Q. All right. And on the first      19       page where it talks about      20       professionalism ---.</b></p> <p>21       A. Wait a minute.</p> <p>22       <b>Q. Sixty-five (65). You're on      23       64, I believe.</b></p> <p>24       A. Yeah, okay. I'm on the wrong      25      on. Okay, 65. Midterm.</p>	<p>1       <b>confirm that for me?</b></p> <p>2       ATTORNEY KRAMER:</p> <p>3       We're not disputing the      4       authenticity of this document.</p> <p>5       BY ATTORNEY VOIGT:</p> <p>6       <b>Q. All right. And what do you      7       know about the Praxis examinations?</b></p> <p>8       A. They're a test of competency.</p> <p>9       <b>Q. Is it a state-wide test?</b></p> <p>10       A. Yes.</p> <p>11       <b>Q. And it tests the competency of      12       future teachers in their proposed      13       subject matter areas; is that what it      14       does?</b></p> <p>15       A. Yes.</p> <p>16       <b>Q. Now, at the bottom of the      17       page, it looks like Stacy took a      18       Praxis exam in English language,      19       literature, composition, content and      20       knowledge; do you see that?</b></p> <p>21       A. Yes.</p> <p>22       <b>Q. And she scored a 171; do you      23       see that?</b></p> <p>24       A. And that would, if you look      25      under the test date, that would place</p>
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1 her in the average performance range;  
 2 is that correct?  
 3 A. Yes.  
 4 Q. Do you have any reason to  
 5 doubt the authenticity of this  
 6 document?  
 7 A. No.  
 8 Q. So according to the state,  
 9 Stacy knows English literature and  
 10 composition, et cetera, in a  
 11 satisfactory manner; correct?  
 12 ATTORNEY KRAMER:  
 13 I'll object. The  
 14 document speaks for itself.  
 15 She certainly scored as the  
 16 document indicates. I don't  
 17 know if can ---.  
 18 BY ATTORNEY VOIGT:  
 19 Q. Well, do you know why Stacy  
 20 would score in the average range on  
 21 the Praxis exam and then in your view  
 22 not present the material in class in  
 23 a satisfactory manner?  
 24 A. Can I explain that?  
 25 Q. Yes.

1 observation was on the 3rd.  
 2 Q. And how long did you evaluate  
 3 Stacy this time, the same, 90  
 4 minutes?  
 5 A. Yes.  
 6 Q. And you say the lesson plan  
 7 was excellent. Do you see that,  
 8 third line down?  
 9 A. Yes.  
 10 Q. And you agree with that  
 11 statement?  
 12 A. Yes.  
 13 Q. And you listed a number of  
 14 glows --- said a new development.  
 15 You didn't have glows and grows  
 16 before; did you?  
 17 A. No, but I decided to get  
 18 creative.  
 19 Q. Okay. So you have five glows  
 20 and only two grows; is that correct?  
 21 A. That's correct.  
 22 Q. All right. And you gave Stacy  
 23 a glow on preparation; is that right?  
 24 A. That's correct.  
 25 Q. Okay. And you didn't list any

1 A. No, I can't explain it.  
 2 Q. Did you look into it? It  
 3 looks like Stacy ---.  
 4 A. I wasn't even aware of what  
 5 she had in her Praxis. I just know  
 6 she passed it.  
 7 Q. Wouldn't it have been useful  
 8 to look into her Praxis scores if  
 9 you're seeing these problems of  
 10 content? Wouldn't it have been  
 11 useful to look up her Praxis scores  
 12 and see if state forms are showing  
 13 the same thing?  
 14 A. Well, it would have been  
 15 useful, I guess, as it relates to  
 16 what was going on in the classroom.  
 17 That was --- what's going on in your  
 18 classroom was the most important  
 19 thing to me.  
 20 Q. All right. Turn to  
 21 Plaintiff's, 47 page one. This is  
 22 your evaluation from block one on  
 23 April 3rd; correct?  
 24 A. Yes. It's dated --- the  
 25 conference was on the 5th, the

1 grows for Stacy concerning  
 2 unprofessional; did you?  
 3 A. No, the grows had to do with  
 4 modeling and key questions.  
 5 Q. All right. And did you meet  
 6 with Stacy on or about April 5th?  
 7 A. Yes.  
 8 Q. And what was the nature of  
 9 that meeting?  
 10 A. I think the nature of it was  
 11 very positive. I thought that she  
 12 was starting out on the right foot  
 13 with this class and ---.  
 14 Q. Is this a new class?  
 15 A. Yes. I may have been in error  
 16 when I talked about that other  
 17 observation being the new class. I  
 18 think this was probably the new  
 19 class, or maybe they both were.  
 20 Q. So Stacy didn't have any  
 21 problems with keeping this new class  
 22 in line; right?  
 23 A. Well, I didn't say she didn't  
 24 have any problems, but it was well  
 25 within the bounds of reasonable, I

<p style="text-align: right;">Page 110</p> <p>1 would say.</p> <p>2 Q. Do you know who the next</p> <p>3 teacher was of the old class? Was</p> <p>4 that Reinking again?</p> <p>5 A. Yes, yes.</p> <p>6 Q. You didn't go visit the old</p> <p>7 class and determine whether they had</p> <p>8 suddenly stopped misbehaving now that</p> <p>9 Ms. ---?</p> <p>10 A. No, I didn't.</p> <p>11 Q. Let me finish the question.</p> <p>12 You didn't go back to the old class</p> <p>13 to determine whether they had</p> <p>14 suddenly started behaving,</p> <p>15 appropriating now that Ms. Reinking</p> <p>16 was in charge; correct?</p> <p>17 ATTORNEY KRAMER:</p> <p>18 I object to the</p> <p>19 compound question. He didn't</p> <p>20 go back to the old class.</p> <p>21 BY ATTORNEY VOIGT:</p> <p>22 Q. All right. You didn't go back</p> <p>23 to the old class; right?</p> <p>24 A. Right.</p> <p>25 Q. Okay. All right. P-47, page</p>	<p style="text-align: right;">Page 112</p> <p>1 A. Have them speak up when they</p> <p>2 answered so the other students could</p> <p>3 hear what they were saying.</p> <p>4 Q. All right. And turn to page</p> <p>5 three. This is block two from April</p> <p>6 6th.</p> <p>7 A. Yes.</p> <p>8 Q. This is another 90 minutes?</p> <p>9 A. Yes.</p> <p>10 Q. And you said that Stacy made</p> <p>11 good use of her time; is that right?</p> <p>12 A. To a point. If you read down</p> <p>13 through that thing, it went like</p> <p>14 this. It was okay for a while and</p> <p>15 then it went 20 minutes left in the</p> <p>16 class ---.</p> <p>17 ATTORNEY VOIGT:</p> <p>18 Off the record.</p> <p>19 OFF RECORD DISCUSSION</p> <p>20 BY ATTORNEY VOIGT:</p> <p>21 Q. So what happened in the last \</p> <p>22 --- it says here the last few minutes</p> <p>23 of the class; what happened then?</p> <p>24 A. Well, as the first two</p> <p>25 paragraphs, three paragraphs</p>
<p style="text-align: right;">Page 111</p> <p>1 two. It says April 6, block one.</p> <p>2 Same, 90 minutes?</p> <p>3 A. Yes.</p> <p>4 Q. And you said that Stacy was</p> <p>5 highly organized; right?</p> <p>6 A. Yes.</p> <p>7 Q. And you complemented her in</p> <p>8 ten different areas; right?</p> <p>9 A. Correct.</p> <p>10 Q. No comments regarding</p> <p>11 unprofessionalism; right?</p> <p>12 A. Correct.</p> <p>13 Q. Did you talk to Stacy about</p> <p>14 this one?</p> <p>15 A. Yes.</p> <p>16 Q. And what was the nature of</p> <p>17 that conversation?</p> <p>18 A. I talked to her about trying</p> <p>19 to get more out of these kids.</p> <p>20 Unlike the other class, this class</p> <p>21 tended to be very quiet. And I'm</p> <p>22 trying to get them to talk, you know,</p> <p>23 rather than trying to keep them</p> <p>24 quiet.</p> <p>25 Q. Okay.</p>	<p style="text-align: right;">Page 113</p> <p>1 indicate, things were going well.</p> <p>2 She had the kids working in pairs.</p> <p>3 She had specific instructions on what</p> <p>4 they were supposed to do. She stated</p> <p>5 the purpose well. She got some take-</p> <p>6 time-to-think-type questions.</p> <p>7 One of her problems was that</p> <p>8 she would ask a kid a question and</p> <p>9 then cut him off. So you know, she</p> <p>10 did better with taking time to allow</p> <p>11 somebody to think before they</p> <p>12 responded.</p> <p>13 But then what happened was</p> <p>14 after they were done working in</p> <p>15 pairs, instead of moving them back</p> <p>16 into their regular seats, she just</p> <p>17 left them stay in pairs, you know.</p> <p>18 So then they started talking and the</p> <p>19 class got out of hand and she got</p> <p>20 mad. So she said okay, you're not</p> <p>21 --- I think she said mature enough to</p> <p>22 do another activity, and then she</p> <p>23 gave them something to study for the</p> <p>24 rest of the period, which was about</p> <p>25 12, 15 minutes. I'm not exactly sure</p>

1 anymore. I say 12 minutes here. And  
 2 then when they got quiet, she started  
 3 talking again.  
 4 So in the conference, I said,  
 5 you know, if your purpose is to have  
 6 them sit there quietly because  
 7 they're not mature enough to handle  
 8 another activity, once they sit there  
 9 quietly and listen to what you tell  
 10 them, then don't start talking again.  
 11 You know, you're defeating your own  
 12 purpose.  
 13 And I said, do you know where  
 14 the legs fell off of this lesson?  
 15 And she said, yes, I do. I didn't  
 16 move them back to their regular  
 17 seats. And that's --- so that lesson  
 18 was good, then it went downhill.  
 19 Q. You didn't think that Stacy  
 20 was unprofessional during that class;  
 21 did you?  
 22 A. No.  
 23 Q. All right. Turn to P-47 page  
 24 four, April 18th. And this was  
 25 another 90-minute evaluation?

1 A. Yes.  
 2 Q. You have ten glowing comments  
 3 on Stacy; is that right?  
 4 A. Yes.  
 5 Q. And you say, among other  
 6 things, excellent CIRQL unit  
 7 planning?  
 8 A. Yes.  
 9 Q. What does that mean exactly?  
 10 A. Well, a CIRQL unit is the unit  
 11 she did on Macbeth, which was her  
 12 CIRQL unit.  
 13 Q. Oh, okay.  
 14 A. And I felt at this stage of  
 15 the game it was going well, it was  
 16 going according to plan.  
 17 Q. Okay. It also says great  
 18 improvement in content; is that  
 19 right?  
 20 A. Yes.  
 21 Q. Okay. And as for the grow  
 22 comments, there's no comments about  
 23 unprofessionalism; correct?  
 24 A. That's correct.  
 25 Q. All right. Now, you did not

1 observe Stacy in class after April  
 2 18th; is that correct?  
 3 A. That's correct; not formally.  
 4 Q. Informally, did you?  
 5 A. I'd have to check my visits,  
 6 which I'm going to give you, but I  
 7 probably dropped in. I know I  
 8 dropped in one day when she had a  
 9 discipline problem down in the  
 10 library and was convinced that it  
 11 wasn't a big problem. But I'll have  
 12 the dates of when I dropped in. I  
 13 have them some place. I'll find it.  
 14 Q. All right. Turn to the table  
 15 of contents which is in the front of  
 16 the first book all the way at the  
 17 front, page three. Now, the table of  
 18 contents lists a number of teacher  
 19 observations and the dates of the  
 20 observations. Were you present  
 21 during any of these observations? If  
 22 not, I'll just move on. But if you  
 23 were, maybe I'll ask some more  
 24 questions.  
 25 A. I don't even know what these

1 are.  
 2 Q. Well, if you don't know, then  
 3 it's all right. We'll take an  
 4 example then. Turn to Plaintiff's  
 5 33.  
 6 A. Okay. Well, it's going to ---  
 7 it's dawned on me here what this is.  
 8 Other people ---.  
 9 Q. Well, answer the question as  
 10 long as we're on the subject.  
 11 Plaintiff's 33.  
 12 A. I think it's backwards. I  
 13 think she was observing them, not  
 14 them observing her.  
 15 Q. Oh, if that's the case then  
 16 tell me?  
 17 A. I know they didn't all come in  
 18 and observe her classes. She had to  
 19 go out and observe other classes. So  
 20 I think that's what it is.  
 21 Q. Oh, okay.  
 22 A. Her observing ---.  
 23 Q. So this is Stacy's  
 24 handwriting; is that what you're  
 25 saying?

<p style="text-align: right;">Page 118</p> <p>1 A. Yes.</p> <p>2 Q. Okay.</p> <p>3 A. Yes, that's what this is. She 4 had to observe so many teachers, so 5 many in the English discipline, but 6 she was not to restrict herself to 7 the English discipline. She was to 8 --- she was looking for style, not 9 particularly content.</p> <p>10 Q. All right. So no other CV 11 teachers observed Stacy teaching 12 other than Ms. Reinking; is that what 13 you're saying, to your knowledge?</p> <p>14 A. To my knowledge.</p> <p>15 Q. Okay. Shouldn't other 16 teachers come in and observe a 17 student teacher throughout the 18 semester? Wouldn't that be 19 preferable?</p> <p>20 A. Well, it might be preferable, 21 but it happens very seldom. The only 22 time it happens usually is if the 23 person invites somebody in.</p> <p>24 Q. The person being the teacher?</p> <p>25 A. The student teacher or the co-</p>	<p style="text-align: right;">Page 120</p> <p>1 A. --- or something to that 2 effect.</p> <p>3 Q. The opposite would be true, 4 too? If a student teacher was to do 5 a really bad job, it's possible that 6 the cooperating teacher could bring 7 in another teacher or a supervisor or 8 something to observe the interactions 9 in class?</p> <p>10 ATTORNEY KRAMER:</p> <p>11 You can answer, but I 12 would object to calls for 13 speculation. You can answer.</p> <p>14 A. I never knew if that happened.</p> <p>15 BY ATTORNEY VOIGT:</p> <p>16 Q. Okay. Now, turn to P-47, page 17 five. There's a CIRQL unit 18 evaluation; right?</p> <p>19 A. Yes, but as I said previously, 20 that has nothing to do with teaching. 21 That is basically what the --- this 22 is the form I used to evaluate her 23 unit. And all those things that are 24 listed up there had to go in with her 25 CIRQL unit along with the content and</p>
<p style="text-align: right;">Page 119</p> <p>1 op. Many times they might invite the 2 principal in.</p> <p>3 Q. So if a teacher gets really 4 bad --- if a student teacher gets 5 really bad or really inappropriate, 6 then the cooperating teacher on 7 occasion would bring in a supervisor 8 or a principal to observe the 9 situation?</p> <p>10 ATTORNEY KRAMER:</p> <p>11 I'll object. That's 12 not what he said.</p> <p>13 ATTORNEY VOIGT:</p> <p>14 Well, if it isn't then 15 he can explain.</p> <p>16 A. I was talking about the 17 offices really. Usually if a student 18 teacher is doing a good job and the 19 co-op wants to show them off to the 20 principal, in case there's a position 21 open up or in case there's --- they 22 want to have the principal as a 23 reference ---</p> <p>24 BY ATTORNEY VOIGT:</p> <p>25 Q. Oh, okay.</p>	<p style="text-align: right;">Page 121</p> <p>1 the lesson plans and the whole --- so 2 this does not relate to teaching. It 3 relates to preparation.</p> <p>4 Q. So this has no relevance to 5 Stacy's ability as a teacher?</p> <p>6 A. Certainly it does. It says 7 that she is a good planner.</p> <p>8 Q. Planning is an important part 9 of teaching; wouldn't you agree?</p> <p>10 A. Yes.</p> <p>11 Q. Describe the project that 12 Stacy completed which lead to this 13 evaluation. You talked about it a 14 little bit, but describe in more 15 detail, please.</p> <p>16 A. Well, the CIRQL plan or 17 whatever you want to call it from 18 Millersville includes all these 19 things that are listed here in the 20 planning stages. And then the CIRQL 21 units are shown off at a CIRQL fair 22 at the end of the semester, where the 23 students not only include this in 24 their booklet, but they also include 25 their best five lesson plans out of</p>

1 all the lesson plans they used.  
 2 And then they sit around and  
 3 they collaborate with other students  
 4 at the end of the semester. And so  
 5 in preparing this, the student has to  
 6 prepare a lot of the planning, but  
 7 also has to prepare the lesson plans  
 8 and the assessments that go with it.  
 9 Q. And what did Stacy do in  
 10 particular? Do you remember what her  
 11 CIRQL unit plan was that got all  
 12 these E's?  
 13 A. Macbeth.  
 14 Q. What was it about Macbeth that  
 15 Stacy did that was worthy of  
 16 exemplary grades?  
 17 A. Well, I felt that she had  
 18 taken seriously the earlier  
 19 discussions about content and that  
 20 really had the proper content,  
 21 everything in their proper form. I  
 22 felt the assessments were much better  
 23 than any I had seen during the  
 24 semester so far.  
 25 Q. Compared to other students, or

1 not discuss any problems with Stacy's  
 2 professionalism; correct?  
 3 A. Correct.  
 4 Q. And at that meeting, you did  
 5 not give Stacy any indication that  
 6 she would not be receiving her  
 7 Bachelor of Science in Education  
 8 degree; correct?  
 9 A. Correct.  
 10 ATTORNEY VOIGT:  
 11 Let's take a break and  
 12 then we'll move on to the  
 13 drunken pirate photo.  
 14 SHORT BREAK TAKEN  
 15 ATTORNEY VOIGT:  
 16 Back on the record.  
 17 BY ATTORNEY VOIGT:  
 18 Q. Turn to Plaintiff's 93. Have  
 19 you ever seen this photo before?  
 20 A. Not this exact photo.  
 21 Q. Have you ever seen a similar  
 22 photo?  
 23 A. Yes.  
 24 Q. When did you first see a  
 25 similar photo?

1 just compared to ---?  
 2 A. Compared to her own earlier  
 3 assessments. I had spoken to her on  
 4 a number of occasions about how the  
 5 assessments didn't tend to match her  
 6 teaching sometimes. Test what you  
 7 teach. And so I complemented her for  
 8 the assessments that I felt were  
 9 right on.  
 10 Q. Did you meet with Stacy to  
 11 discuss this evaluation?  
 12 A. Yes.  
 13 Q. Was it on or about May 2nd?  
 14 A. Yes. She had to have this  
 15 done for the CIRQL. I had to have it  
 16 evaluated before they had this CIRQL  
 17 festival or fair or whatever it is.  
 18 So yes, I would say that that's when  
 19 I met with her, 5/2.  
 20 Q. All right. And describe the  
 21 meeting, please.  
 22 A. Well, I don't recall much  
 23 about it except I think it was  
 24 positive.  
 25 Q. And at that meeting, you did

1 A. I saw the one that was posted  
 2 on May the 4th. That's the date on  
 3 it, and the first time I saw it was  
 4 on May the 8th.  
 5 Q. So turn to Plaintiff's 51. Is  
 6 this the photo that you saw on or  
 7 about May 8th?  
 8 A. Yes.  
 9 Q. And you also saw the text on  
 10 or about that date?  
 11 A. That's correct.  
 12 Q. How did you come to receive or  
 13 see this photo and this text?  
 14 A. Mrs. Reinking had a copy of  
 15 it.  
 16 Q. And how did she go about  
 17 delivering it to you?  
 18 A. Well, I went over to the  
 19 school on the 8th after I was called  
 20 on the telephone by Mrs. Buffington.  
 21 Q. And what did --- before we get  
 22 to that, prior to seeing this photo  
 23 and text on May the 8th, you had  
 24 taken no steps to set in motion the  
 25 denial of Stacy's Bachelor of Science

1       **in Education degree; correct?**  
 2       A. I had nothing to do with that  
 3       whatsoever, one way or the other.  
 4       **Q. Okay. But to answer the ---.**  
 5       A. You keep referring to me as a  
 6       policy maker. I'm an adjunct  
 7       instructor. I'm not a policy maker.  
 8       **Q. Okay. Well, please, answer**  
 9       **the question. You took no steps to**  
 10      **deny Stacy her Bachelor of Science in**  
 11      **Education degree prior to seeing this**  
 12      **photo and text; correct?**  
 13      ATTORNEY KRAMER:  
 14      Objection. He answered  
 15      that. He doesn't have, as I  
 16      have said, the authority to  
 17      take steps to grant or deny  
 18      the degree.  
 19      BY ATTORNEY VOIGT:  
 20      **Q. Okay. You make**  
 21      **recommendations; do you not?**  
 22      A. Yes.  
 23      **Q. You had taken no steps prior**  
 24      **to May 8th of 2006 to make any**  
 25      **recommendations regarding the denial**

1       **of Stacy's Bachelor of Science in**  
 2       **Education degree; correct?**  
 3       A. I have no --- it wasn't up to  
 4       me. I have no authority to say  
 5       whether she was going to get a  
 6       Bachelor of Science or whether she  
 7       wasn't. My job is to evaluate her  
 8       and to be her supervisor and do the  
 9       academic evaluation.  
 10      **Q. And to make recommendations;**  
 11      **right?**  
 12      A. To make recommendations.  
 13      **Q. Okay. And you make**  
 14      **recommendations to Dr. Bray; would**  
 15      **that be accurate?**  
 16      ATTORNEY KRAMER:  
 17      Are you asking in this  
 18      case or ---?  
 19      BY ATTORNEY VOIGT:  
 20      **Q. No, just generally in the**  
 21      **normal course of things, do you make**  
 22      **recommendations to Dr. Bray?**  
 23      A. Not in the normal course of  
 24      things. In the normal course of  
 25      things, Dr. Bray is never even

1       involved in ---. This is an unusual  
 2       situation.  
 3       **Q. Oh, okay. In this case, did**  
 4       **you make a recommendation to Dr. Bray**  
 5       **after reviewing this photograph?**  
 6       A. In regard to?  
 7       **Q. In regard to Stacy and the**  
 8       **awarding or not awarding to Stacy of**  
 9       **her Bachelor of Science in Education?**  
 10      A. I made no recommendation on  
 11      that.  
 12      **Q. Now, prior to seeing this**  
 13      **photo and text, no one at Conestoga**  
 14      **Valley, including Ms. Reinking and**  
 15      **Ms. Buffington, had complained to you**  
 16      **about Stacy's professionalism;**  
 17      **correct?**  
 18      A. No, that's not correct.  
 19      **Q. What did they do to complain**  
 20      **to you about Stacy's professionalism?**  
 21      A. Well, first of all, before the  
 22      evaluation --- I've already said,  
 23      that it was nothing unusual. The  
 24      only incidence that I was aware of is  
 25      when she spoke in her class about

1       meeting her ex-husband at a --- her  
 2       and her kids saw her ex-husband at  
 3       some outlet or something. And I  
 4       spoke to her about that. I said,  
 5       remember, you don't get personal, the  
 6       kids --- the worst thing you can do  
 7       is try to get buddy, buddy with these  
 8       kids. And you know, you have to  
 9       start out, even though it's --- you  
 10      got to start out as strangers.  
 11      And the only other thing I was  
 12      aware of was that she had asked the  
 13      principal for a key to the room,  
 14      rather than going through the proper  
 15      channels.  
 16      **Q. Is that improper in some**  
 17      **fashion, to talk to the principal if**  
 18      **you're a student teacher?**  
 19      A. Yes. Well, to say, may I have  
 20      the key to the room, you should go  
 21      through your co-op.  
 22      **Q. Is that written down somewhere**  
 23      **that you have to go through your co-**  
 24      **op before you speak to the principal?**  
 25      A. No, no. It's just

<p style="text-align: right;">Page 130</p> <p>1 commonsense.</p> <p>2 Q. What is your basis for calling</p> <p>3 that commonsense?</p> <p>4 A. Because these student teachers</p> <p>5 are told when they go out there,</p> <p>6 they're the guests of the school.</p> <p>7 You know, fit in. Don't sit in</p> <p>8 somebody's chair on the faculty. You</p> <p>9 know, do what you're expected to do.</p> <p>10 Go through the proper chains of</p> <p>11 command. You know, use some</p> <p>12 commonsense when you're out there.</p> <p>13 I'm not saying that was a big thing,</p> <p>14 or I would have graded her down.</p> <p>15 What I'm saying is, those are</p> <p>16 the things I was aware of in the</p> <p>17 middle. Now, when we met for the</p> <p>18 mid-conference, I became aware by</p> <p>19 reading Ms. Reinking's mid-conference</p> <p>20 that she had told a couple classes to</p> <p>21 shut up, which up to that point, I</p> <p>22 had no knowledge of. And I attribute</p> <p>23 to the fact that, you know, Ms.</p> <p>24 Reinking was trying to help her,</p> <p>25 trying to get her through some of</p>	<p style="text-align: right;">Page 132</p> <p>1 particular incident.</p> <p>2 BY ATTORNEY VOIGT:</p> <p>3 Q. Okay. Do you believe ---?</p> <p>4 A. I said that that happened</p> <p>5 before the mid, and I didn't attach</p> <p>6 no real significance to it because it</p> <p>7 wasn't unusual for a student teacher.</p> <p>8 I mean, I spoke to her about it, but</p> <p>9 I didn't ---</p> <p>10 Q. Okay.</p> <p>11 A. --- think it was a big deal.</p> <p>12 Q. All right. Now, do you know</p> <p>13 whether this photo and text, which is</p> <p>14 Parent's (sic) 51, caused any actual</p> <p>15 disruption at Conestoga Valley School</p> <p>16 District? Let me strike that.</p> <p>17 As you sit here today, you do</p> <p>18 not know of any actual disruption of</p> <p>19 the school environment at Conestoga</p> <p>20 Valley School District due to the</p> <p>21 photo and text, which is Parent's 51?</p> <p>22 ATTORNEY KRAMER:</p> <p>23 If you can just</p> <p>24 clarify.</p> <p>25 ATTORNEY VOIGT:</p>
<p style="text-align: right;">Page 131</p> <p>1 these things.</p> <p>2 But then after the mid, there</p> <p>3 were some other things that happened</p> <p>4 that I was told about that Ms.</p> <p>5 Reinking told me about where, when</p> <p>6 she went out to complete her</p> <p>7 observations of other teachers that</p> <p>8 teachers complained to her because</p> <p>9 instead of paying attention to the</p> <p>10 class, she was sitting back there</p> <p>11 working on lesson plans. There was</p> <p>12 an incident that I was told about</p> <p>13 where she played some music that had</p> <p>14 some foul language in it.</p> <p>15 Q. We'll get to all of that. So</p> <p>16 your testimony is that by complaining</p> <p>17 about Stacy speaking to the principal</p> <p>18 at Conestoga Valley without first</p> <p>19 going through Ms. Reinking, is a</p> <p>20 complaint about Stacy's</p> <p>21 unprofessionalism?</p> <p>22 ATTORNEY KRAMER:</p> <p>23 I'll object. He said</p> <p>24 --- he referred to incidents</p> <p>25 above and beyond that one</p>	<p style="text-align: right;">Page 133</p> <p>1 Plaintiff's 51.</p> <p>2 ATTORNEY KRAMER:</p> <p>3 When you refer to</p> <p>4 disruption, are you including</p> <p>5 --- are you referring only to</p> <p>6 what's going on in the</p> <p>7 classroom as opposed to,</p> <p>8 perhaps, Reinking and</p> <p>9 Buffington getting involved as</p> <p>10 well?</p> <p>11 ATTORNEY VOIGT:</p> <p>12 I'll let the witness</p> <p>13 define it however he wants.</p> <p>14 BY ATTORNEY VOIGT:</p> <p>15 Q. You do not know of any actual</p> <p>16 disruption of the school environment</p> <p>17 at Conestoga Valley due to Ms.</p> <p>18 Snyder's posting this photo and text;</p> <p>19 P-51?</p> <p>20 A. It depends on how you define</p> <p>21 disruption. But the fact that there</p> <p>22 were students looking at this, and</p> <p>23 she says clearly here that that's</p> <p>24 okay. And then I was informed that</p> <p>25 on the 5th, which was a Friday, that</p>

1 she had mentioned in one of her  
 2 classes that one of her students had  
 3 been on her MySpace website and of  
 4 course, knowing students, everybody  
 5 would have gone home and gotten on  
 6 the website. So I don't know how you  
 7 define disruption, but I would say  
 8 that there was at least a ripple  
 9 going through the community there.  
 10 Q. Okay. You don't know of any  
 11 other students beside the one student  
 12 that you referred to that actually  
 13 saw this on Ms. Snyder's website;  
 14 correct?  
 15 A. Correct.  
 16 Q. And everything else would be  
 17 just speculation; correct?  
 18 A. Yeah. Yes.  
 19 Q. Okay. Other than what you  
 20 described there, can you think of any  
 21 other actual disruption of the school  
 22 environment due to Ms. Snyder's  
 23 posting this photo and text?  
 24 A. Yes.  
 25 Q. What?

1 blaming all the problems on that  
 2 person.  
 3 Q. So you don't see the word  
 4 Reinking in that?  
 5 A. I do not see it, but I can't  
 6 see who else it would be.  
 7 Q. Are you not speculating as to  
 8 the nature of that person?  
 9 A. Yes.  
 10 Q. And you are not aware of any  
 11 interference in discipline at  
 12 Conestoga Valley due to Ms. Snyder's  
 13 posting this photo and text; correct?  
 14 ATTORNEY KRAMER:  
 15 I will object. You can  
 16 answer it, but I think he's  
 17 already answered that  
 18 question.  
 19 BY ATTORNEY VOIGT:  
 20 Q. Did discipline break down at  
 21 Conestoga Valley due to this photo  
 22 and text?  
 23 ATTORNEY VOIGT:  
 24 Go off the record.  
 25 BRIEF INTERRUPTION

1 A. I would say that the text here  
 2 got some people up in arms. I don't  
 3 know that it disrupted the students,  
 4 but it certainly got some people up  
 5 in arms in the English Department.  
 6 Because even though Stacy had been  
 7 told in teaching of that if she had  
 8 something like MySpace, it was never  
 9 to point a finger at anybody, never  
 10 to be personal, never to mention  
 11 anybody's name. And secondly, in  
 12 that orientation, when I was there,  
 13 they were told if they had these  
 14 accounts they should delete them.  
 15 But when you read this last  
 16 sentence here, they keep asking me  
 17 why I don't apply there. Do you  
 18 think it would hurt me to tell them  
 19 the real reason for who the problem  
 20 was? Now, if that's not Ms.  
 21 Reinking, I wouldn't know who --- you  
 22 might as well just put Reinking's  
 23 name right down there. And to me,  
 24 that is a personal pointing the  
 25 finger at a professional person and

1 BY ATTORNEY VOIGT:  
 2 Q. There was nothing threatening  
 3 about this photo and text; correct?  
 4 A. Correct.  
 5 Q. You do not consider this photo  
 6 lewd or obscene; do you?  
 7 A. No.  
 8 Q. You don't consider the  
 9 language accompanying the photo to be  
 10 lewd or obscene; do you?  
 11 A. No.  
 12 Q. Now, in the text, Stacy  
 13 discusses her decision not to apply  
 14 for a job at Conestoga Valley; right?  
 15 A. Correct.  
 16 Q. Wouldn't someone reading this  
 17 posting be entitled to know about  
 18 Stacy's decision in that regard?  
 19 ATTORNEY KRAMER:  
 20 I'll object. It's a  
 21 very bad question. I'm not  
 22 sure he can answer it.  
 23 BY ATTORNEY VOIGT:  
 24 Q. Well, wouldn't it be a matter  
 25 of public concern that Stacy decided

1       **not to apply?**  
 2 ATTORNEY KRAMER:  
 3 I'll object. That  
 4       calls for a conclusion ---.  
 5 BY ATTORNEY VOIGT:  
 6 Q. You can answer over objection  
 7       pursuant to our usual stipulations.  
 8 Wouldn't you agree that it is a  
 9       matter of public concern at least  
 10      within the Conestoga Valley School  
 11      District concerning whether Stacy  
 12      decided to apply for a job there?  
 13 ATTORNEY KRAMER:  
 14 Same objection. You  
 15      can go ahead and answer.  
 16 A. Well, the Conestoga Valley has  
 17      a process that they use to decide  
 18      who's going to be interviewed ---.  
 19 BY ATTORNEY VOIGT:  
 20 Q. I'm not concerned about that.  
 21 I'm concerned with whether this  
 22      posting discusses a matter of public  
 23      concern, which is Stacy's decision  
 24      not to apply.  
 25 ATTORNEY KRAMER:

1 I would object. It  
 2       calls for a conclusion that  
 3 he's ---.  
 4 BY ATTORNEY VOIGT:  
 5 Q. Okay. Let me rephrase the  
 6       question. Would you agree that  
 7 Stacy's decision not to apply at  
 8 Conestoga Valley School District for  
 9       a job is a matter of public concern  
 10      at least among the Conestoga Valley  
 11      community?  
 12 ATTORNEY KRAMER:  
 13 Same objection. You  
 14      can answer.  
 15 BY ATTORNEY SMITH:  
 16 Q. Wouldn't their students want  
 17      to know why she's not applying for a  
 18      job?  
 19 ATTORNEY KRAMER:  
 20 Or if you don't know,  
 21 tell him you don't know.  
 22 A. I don't know.  
 23 BY ATTORNEY VOIGT:  
 24 Q. If you were a student in  
 25 Stacy's class, wouldn't you want to

1       know why your student teacher wasn't  
 2 applying for a job there?  
 3 ATTORNEY KRAMER:  
 4 Objection. Calls for  
 5       speculation.  
 6 BY ATTORNEY VOIGT:  
 7 Q. You can answer it.  
 8 A. I don't think I would. It  
 9       wouldn't cross my mind actually.  
 10      What would students know about an  
 11      opening? You know, if there was even  
 12      a job opening?  
 13 Q. After receiving this photo ---  
 14      strike that.  
 15 I take it you first learned of  
 16      this photo through a phone call; is  
 17      that correct?  
 18 A. Yes.  
 19 Q. From Ms. Buffington; is that  
 20      correct?  
 21 A. Yes.  
 22 Q. Okay. And who is Ms.  
 23      Buffington?  
 24 A. She is the English Supervisor  
 25      at Conestoga Valley.

1       Q. Okay. What was the nature of  
 2 that phone call?  
 3 A. The major of it was that she  
 4 said that they had some serious  
 5 objections about Stacy's  
 6 professionalism, and she had  
 7 discussed this with the acting  
 8 superintendent because the  
 9 superintendent was away. And that he  
 10 had decided that she should not be  
 11 allowed to continue, that she would  
 12 only be allowed to return on the  
 13 11th, which would be a Thursday, to  
 14 pick up her materials and I was to  
 15 accompany her and accompany her out.  
 16 And she was to have no connection  
 17 with the students.  
 18 Q. What was your response to  
 19 those comments?  
 20 A. My response was, why me?  
 21 Q. What does that mean?  
 22 A. I mean, that week was one of  
 23 the worst weeks of my life is what it  
 24 means.  
 25 Q. Okay. Did you attempt to

1 defend Stacy? After all, you just  
 2 gave her Es on her CIRQL.  
 3 A. I went in to talk to Reinking  
 4 and Buffington.  
 5 Q. Was that on the 8th of '06?  
 6 A. That would have been the 8th,  
 7 yes.  
 8 Q. And what did you say?  
 9 A. I didn't say much. I just  
 10 listened because I was trying to make  
 11 some sense out of the whole thing,  
 12 because to me, it was a situation I  
 13 hadn't encountered before. So I did  
 14 most of the listening instead of  
 15 talking. I was told that she was not  
 16 to return until Thursday, and I was  
 17 to come in with her and go out with  
 18 her and get her stuff. That was it,  
 19 and so ---.  
 20 Q. What did you say? Did you  
 21 defend Stacy? After all, you just  
 22 gave her a lot of glowing comments on  
 23 the last few evaluations.  
 24 A. Well, I don't recall, you  
 25 know, what all I said or whether I

1 Q. At that meeting, were you  
 2 shown a copy of the photo and text on  
 3 Plaintiff's 51?  
 4 A. Yes.  
 5 Q. Did you receive a copy of it?  
 6 A. Yes.  
 7 Q. Did you take one home with  
 8 you?  
 9 A. Yes, I did.  
 10 Q. What did you do after leaving  
 11 the meeting?  
 12 A. Well, I went home and I  
 13 reviewed everything that was going on  
 14 and I --- as I recall, either that  
 15 day or the next morning, I called out  
 16 at Millersville or came out here to  
 17 Millersville to talk to the guy who  
 18 lines up the students within the  
 19 Department, you know, who actually  
 20 does the assigning of student  
 21 teachers and kind of shared the ---.  
 22 Q. Who's that?  
 23 A. That's another one I'll have  
 24 to ---.  
 25 Q. Before we get to May 9th,

1 tried to defend her or whether I just  
 2 listened to what they were saying  
 3 because I'm not a real fast thinker,  
 4 you know. I have to process stuff a  
 5 little bit before I decide what I'm  
 6 doing, so I guess you might say that  
 7 I just was a listener and trying to  
 8 process what all this meant. So I  
 9 didn't say a whole lot when I was  
 10 there.  
 11 Q. How long did the meeting last?  
 12 A. It was short and sweet.  
 13 Q. Less than ten minutes, less  
 14 than five minutes?  
 15 A. Maybe 15 minutes, I don't  
 16 know.  
 17 Q. Who all was at the meeting?  
 18 A. Mrs. Buffington, Mrs.  
 19 Reinking, and me.  
 20 Q. Ms. Seldomridge was not there?  
 21 A. She wasn't there.  
 22 Q. Was Dr. Bray at that meeting?  
 23 A. No.  
 24 Q. How did the meeting end?  
 25 A. I don't recall.

1 let's stick with May 8th. P-51, page  
 2 two.  
 3 A. All right. What are we  
 4 looking at?  
 5 Q. P-51, page two. Your copy  
 6 probably isn't very good. So this is  
 7 the note, the post-it note that  
 8 accompanied the photo and text. Can  
 9 you read that for me, please?  
 10 A. Does not respect professional  
 11 boundaries. A way to say she is  
 12 surely --- or socially, whatever,  
 13 inept.  
 14 Q. Let me just read it for the  
 15 record. It says, does not respect  
 16 professional boundaries. A way to  
 17 say she is socially inept. Do you  
 18 know who wrote that?  
 19 A. No.  
 20 Q. Did you ever see that note  
 21 before?  
 22 A. No.  
 23 Q. Did you speak with Stacy on  
 24 May 8th if 2006?  
 25 A. I think she called me.

1 Q. Let me turn your attention to  
 2 Plaintiff's 100, which is all the way  
 3 in the back, page five.  
 4 A. Yes.  
 5 Q. Actually, let's ---. It says  
 6 here, Plaintiff immediately  
 7 telephoned Girvin, who, in his  
 8 individual capacity, refused to  
 9 disclose any further information. Do  
 10 you recall a conversation with Ms.  
 11 Snyder on May 8th?  
 12 A. Yes. I don't recall whether  
 13 that was before or after my visit  
 14 over to CV, but I do recall saying  
 15 that I didn't know enough about the  
 16 situation to comment on it.  
 17 Q. All right. Why did you not  
 18 give Stacy any further details? Was  
 19 it just that you didn't know any  
 20 details?  
 21 A. Well, if it was before I went  
 22 over to the school, that would be  
 23 true. I'm not sure whether it was  
 24 before or after I went over to the  
 25 school when I was talking to her on

1 at all with her. That complicates  
 2 this because she was in the hospital.  
 3 So that's where Weinrick (phonetic)  
 4 comes into this thing because  
 5 Weinrick was the acting dean when I  
 6 came out here to talk. And the guy I  
 7 was talking about that set up the  
 8 student teachers referred me to  
 9 Weinrick because she was acting dean.  
 10 Q. All right. So let's take this  
 11 step by step. You said earlier that  
 12 on May 9th, you contacted somebody at  
 13 Millersville who was the supervisor  
 14 of all the student teachers?  
 15 A. No, just the secondary ones  
 16 who assigned them. You know, it was  
 17 just an administrative task of  
 18 assigning the student teachers.  
 19 Q. Okay. What did you say during  
 20 that conversation?  
 21 A. Well, I told him what the  
 22 problem was. I showed him the  
 23 picture and he referred me to Dr.  
 24 Weinrick.  
 25 Q. And the reason for the

1 the phone.  
 2 Q. Okay. All right. Turn to  
 3 Plaintiff's 48 on the first page.  
 4 This is an e-mail from Buffington to  
 5 Reinking dated May 9 of '06.  
 6 A. Okay.  
 7 Q. Did you ever see this e-mail  
 8 before? First page, we'll get to the  
 9 second page in a minute.  
 10 A. No. Oh, wait a minute. Well,  
 11 since it's sent to me, I guess I did.  
 12 I'm familiar with what's on the next  
 13 page if that's what you're referring  
 14 to.  
 15 Q. Before we get to the next  
 16 page, did you have any conversations  
 17 with Buffington about either the memo  
 18 or the accompanying text on the  
 19 following page?  
 20 A. No, not with Buffington.  
 21 Q. All right. Did you have any  
 22 conversations with Bray about the  
 23 memo? First of all, who is Jane  
 24 Bray?  
 25 A. Well, I had no conversations

1 referral to Dr. Weinrick was for  
 2 what?  
 3 A. I don't think he wanted to  
 4 take responsibility for this.  
 5 Q. Well, I don't mean that. Why  
 6 was it not referred to Dr. Bray?  
 7 A. Because she was in the  
 8 hospital.  
 9 Q. All right. Did you have a  
 10 conversation then with Dr. Weinrick  
 11 on or about May 9th of 2006?  
 12 A. Yes.  
 13 Q. What happened during that  
 14 conversation?  
 15 A. I explained the situation to  
 16 her and I also, by that time, had  
 17 received an e-mail from Stacy, which  
 18 I also shared with her. I don't know  
 19 if you have a copy of that or  
 20 whatever.  
 21 Q. We'll get to that. Let's talk  
 22 about your conversation with  
 23 Weinrick.  
 24 A. Well, that was part of my  
 25 conversation with her. You know,

1 what I wanted ---. In other words, I  
 2 didn't collaborate with people except  
 3 for Reinking. You know, what  
 4 evaluation to give Stacy was my  
 5 decision, an academic evaluation  
 6 decision. And I was ready to take  
 7 the responsibility for that. But  
 8 what I wasn't sure of was since she  
 9 put in all that time except for one  
 10 week, whether that was going to have  
 11 any influence on how her status was,  
 12 you know, going to be as far as her  
 13 degree.

14 Q. What did Weinrick say?

15 A. Well, she didn't say much  
 16 except that she was going to talk to  
 17 Dr. Bray about it.

18 Q. So I take it Dr. Bray would be  
 19 the final decision maker on whether  
 20 Stacy received her Bachelor of  
 21 Science in Education degree; correct?

22 A. Correct.

23 Q. All right. Did Weinrick say  
 24 anything else other than that she  
 25 would talk to Dr. Bray?

1 Q. Does Millersville maintain a  
 2 list of dirty words not to use in the  
 3 classroom?

4 A. No.

5 Q. Turn to Plaintiff's 50. Did  
 6 you ever see this document before?

7 A. No.

8 Q. Did you ever hear of a musical  
 9 artist by the name of Ben Folds?

10 A. No.

11 Q. Now, the first --- second  
 12 stanza indicates kiss my ass goodbye;  
 13 do you see that?

14 A. Yes, I do.

15 Q. Do you believe that ass is an  
 16 inappropriate word to use in class?

17 A. It depends on the context in  
 18 which you use it.

19 Q. Why? Why does it depend on  
 20 the context?

21 A. Because you try to stay on a  
 22 higher plane. I mean, in literature  
 23 if you're working with a quote ---  
 24 and I assume that in some way you  
 25 could defend this in the same way,

1 A. No. She didn't --- well, by  
 2 that time ---. I'll save it until we  
 3 get to that e-mail.

4 Q. All right. My question still  
 5 remains, did Dr. Weinrick say  
 6 anything else of significance about  
 7 Stacy and the incident during your  
 8 conversation on or about May 9th,  
 9 other than what we've discussed?

10 A. No.

11 Q. All right. Turn to  
 12 Plaintiff's 48, page 2. So your  
 13 recollection is that you first saw  
 14 these --- this list of unprofessional  
 15 behavior/performance in the classroom  
 16 on or about May 9th; is that correct?

17 A. Yes.

18 Q. Paragraph one, Ms. Snyder  
 19 played a song for background music.  
 20 Does Millersville instruct its  
 21 student teachers regarding  
 22 appropriate musical content in the  
 23 classroom?

24 A. Not specifically. Not that I  
 25 know of.

1 you know, that being loyal to the  
 2 context of the material. I think,  
 3 you know, in this sense, maybe she  
 4 could have picked a different song.

5 Q. You weren't in the classroom  
 6 when Ms. Snyder played this song;  
 7 correct?

8 A. That is correct.

9 Q. Does Millersville have a  
 10 policy whereby students have to pre-  
 11 listen to the songs?

12 A. No.

13 Q. You were aware that during  
 14 Stacy's practical she was teaching  
 15 Shakespeare; correct?

16 A. Yes.

17 Q. Do you have any idea as you  
 18 sit here today how many times  
 19 Shakespeare uses the word, ass?

20 A. Many times.

21 Q. Should Ms. Reinking be  
 22 disciplined for not stopping a  
 23 reading of Shakespeare because he  
 24 uses the word, ass?

25 A. No.

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1      Q. Paragraph 2 of Parent's 48.	1      alone with you and you know, all
2      A. Okay.	2      student teachers are told this stuff.
3      Q. Stacy gave an account of her	3      Chapter and verse, you know, don't
4      Valentine's Day with her boyfriend.	4      get too friendly with your students.
5      A. I was in class for that.	5      But you know, secondly, I thought it
6      Q. Does Millersville instruct its	6      was inappropriate because it was
7      student teachers not to mention their	7      almost like justifying herself to the
8      significant others in class?	8      class, to me, to Reinking. It's okay
9      A. Not specifically.	9      that --- you know, I'm just normal.
10     Q. There's no policy in effect at	10     You know, I'm just a normal person
11     Millersville, which would forbid	11     with a normal family and so forth.
12     student teachers from mentioning	12     Q. Are you telling me that
13     significant others in class; correct?	13     teachers never mention their husbands
14     A. Correct.	14     or wives in class?
15     Q. And this is in regard to a	15     A. No, I'm not saying that at
16     conversation about Valentine's Day;	16     all.
17     correct?	17     Q. Why would it be permissible
18     A. As I recall she and her	18     for a teacher to mention their
19     boyfriend and her two kids saw her ex	19     husband and wife in class, but Stacy,
20     at I don't know where.	20     a single mom, not be allowed to
21     Q. What exactly is inappropriate	21     mention her ex-husband?
22     about that comment?	22     ATTORNEY KRAMER:
23     A. It's very inappropriate. In a	23     I'll object. That's
24     straightforward student/teacher	24     not what he said at all. He
25     relationship, it's not something that	25     actually didn't say that it
Page 155	
1      is any of the kid's business. You	1      was okay that teachers mention
2      know, the personal lives of the	2      their spouses in class.
3      teacher and the student is of no	3      BY ATTORNEY VOIGT:
4      concern. And to me, and I spoke to	4      Q. I believe you did. Is it or
5      her about that comment, I thought it	5      is not okay for a teacher to mention
6      was inappropriate for one reason, is	6      their spouse in class?
7      that she was trying to get friendly	7      A. It depends on the context. If
8      with the kids, you know, to try to be	8      it's the kind of thing where you're
9      their buddy. Trying to say, well,	9      talking about something personal or
10     you know I was at the mall and this	10     something other than the lesson --- I
11     kind of thing --- which all student	11     mean, let's say their husband is a
12     teachers are told, you don't do that	12     fireman and they talk about him and
13     kind of thing.	13     his job, there's nothing wrong with
14     But particularly, you know,	14     that. But there is something ---
15     because student teachers and frankly,	15     teachers have to be good role models.
16     many of them --- most of them are	16     And so to talk about your personal
17     younger than she was, but I try to	17     life to your students is not
18     apply the same standard as if she was	18     something that --- particularly
19     21. And that is that getting too	19     student teachers are warned against.
20     friendly with students can lead to	20     And of course, even when
21     all kinds of problems where people	21     teachers start their first year of
22     start to confide in you. They get	22     practice, you know, there's a don't
23     interested in you for reasons other	23     share personal things with your
24     than being their teacher. They try	24     students. Be a good role model. And
25     to get into situations where they're	25     I think that fits into this category.

1 Q. You can answer.

2 A. I did not forbid her. I merely --

3 Q. You were just following orders. Is

4 that what you're saying?

5 A. I merely called her after I spoke

6 with Mr. Seldomridge.

7 Q. And you were just following

8 Mr. Seldomridge's directive. Is that correct?

9 A. I asked him for his advice as to what

10 we needed to do. I told him that Ms. Reinking

11 was upset.

12 Q. Did you consider whether Ms. Snyder

13 was upset at that time?

14 A. Of course, I knew that she would be

15 upset.

16 Q. So did you add any independent input

17 into the decision to forbid Ms. Snyder from

18 coming back to Conestoga Valley in May of

19 2006, or were you just relaying

Mr. Seldomridge's directive?

MR. KELIN: Objection to form.

BY MR. VOIGT:

Q. You can answer.

A. Please restate.

Q. Sure. When you -- when you called

1       **day, May 9th?**

2       A.     No. Because Mr. Seldomridge and I  
3     had discussed how we should handle the  
4     situation and I think he wanted time to  
5     pursue, investigate.

6       **Q. So you did tell Ms. Snyder that she**  
7     **could not come back to school until the 11th?**

8       A.     I did tell her that on the phone.

9       **Q. Okay. I have no further questions.**

10      MR. KRAMER: I have no questions.

11      MR. KELIN: Thank you.

12      THE WITNESS: Thank you.

13      MR. KRAMER: Thank you.

14      (The proceedings were concluded at  
15 2:44 p.m.)

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1 Ms. Snyder and told her that she could not  
2 come back to Conestoga Valley School District,  
3 were you adding your own input or were you  
4 just forwarding Mr. Seldomridge's directive?

5 MR. KELIN: Objection to form.

6 A. I did not say that she could not come  
7 back. I said that she would come in on the  
8 11th.

9 BY MR. VOIGT:

10 Q. Was not the implication that she  
11 could not come in before the 11th?

12 A. She was out on the 8th, and she did  
13 not come in on the 9th and the 10th, but then  
14 she came back on the 11th for that final  
15 evaluation.

16 Q. Right.

17 A. And she had gone home ill, wasn't  
18 apparently feeling well that day anyway.

19 Q. How did you determine she was not  
20 feeling well?

21 A. Well, she said -- she had a doctor's  
22 appointment and she left at 11:30. She left  
23 midday.

24 Q. Did you ask Ms. Snyder whether she  
25 felt well enough to come back on the following

1 COUNTY OF LANCASTER :  
2 COMMONWEALTH OF PENNSYLVANIA:  
3 I, Brenda S. Hamilton, a Notary Public,  
4 authorized to administer oaths within and for the  
5 Commonwealth of Pennsylvania, do hereby certify that  
6 the foregoing is the testimony of DEANN BUFFINGTON.  
7 I further certify that before the taking of  
8 said deposition, the above witness was duly sworn,  
9 that the questions and answers were taken down  
10 stenographically by the said Reporter-Notary Public,  
11 approved and agreed to, and afterwards reduced to  
12 print by means of computer-aided transcription under  
13 the direct supervision of the said Reporter.  
14 I further certify that I am not a relative  
15 or employee or attorney to any of the parties, and am  
16 not financially interested, directly or indirectly,  
17 in this action.  
18 I further certify that the said deposition  
19 constitutes a true and correct record of the  
20 testimony given by the said witness.  
21 In testimony whereof, I have hereunto  
22 subscribed my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2008.  
23 \_\_\_\_\_  
24 Brenda S. Hamilton, RPR  
Reporter-Notary Public  
My Commission Expires:  
25 May 27, 2011



Thursday, May 04, 2006

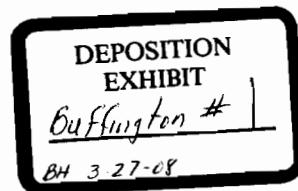
So... Updates!!!!

Current mood: ☺dorky

Category:

Updates:

First, Bree said that one of my students was on here looking at my page, which is fine. I have nothing to hide. I am over 21, and I don't say anything that will hurt me (in the long run). Plus, I don't think that they would stoop that low as to mess with my future. So, bring on the love! I figure a couple students will actually send me a message when I am no longer their official teacher. They keep asking me why I won't apply there. Do you think it would hurt me to tell them the real reason (or who the problem was)?



## Deann Buffington

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**From:** Deann Buffington  
**Sent:** Tuesday, May 09, 2006 11:04 AM  
**To:** Nicole Reinking  
**Cc:** Kim Seldomridge; 'jbgseg@highstream.net'  
**Subject:** RE: Professionalism/Behavior

Good job delineating the problems, Nikke! I know that this took time. Thanks for taking care of it promptly.

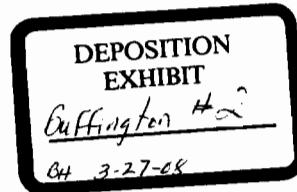
-----Original Message-----

**From:** Nicole Reinking  
**Sent:** Monday, May 08, 2006 6:05 PM  
**To:** Kim Seldomridge; jbgseg@highstream.net; Deann Buffington  
**Subject:** Professionalism/Behavior

Kim, Barry, and Deann,

Attached please find a Word document that lists some examples of the problems I encountered throughout the school year with my student teacher. If you require additional information, please let me know.

Thank you for your time and your support, Nicole Reinking



CVSD 185

### **Unprofessional Behavior/Performance in the Classroom**

Miss Snyder played a song for background music during one of her first lessons that included profane language. She seemed to be oblivious to the words, so after hearing the first then the second word, I quickly walked over to stop the music.

On February 15, 2006 (with her supervisor in the room), Miss Snyder gave an account of her Valentine's Day with her boyfriend, ex-husband, and children that made me and the students feel very uncomfortable.

Several times in class, the students used foul language ("Shut the hell up!" one student said.) or discussed inappropriate weekend behavior without reprimand from Miss Snyder.

Twice in class—even after I advised her not to the first time—Miss Snyder used "Shut up!" as a means to gain her students' attention. This, unfortunately, led the students to use this phrase to gain the attention of classmates during lessons.

Twice I warned Miss Snyder to avoid Myspace.com discussions with her students and to avoid looking up student accounts or corresponding with students on the website. I could not have been clearer. On Friday, May 5, during class, Miss Snyder asked a few students in her class if they were on her Myspace account. She explained that a friend said that one of her (Miss Snyder's) students (fitting their description) stopped her in the mall and said, "I recognize you from Miss Snyder's Myspace account." After this, of course, a colleague of mine found and shared Miss Snyder's Myspace account with me. A copy of some of the account's content is included.

Frequently, Miss Snyder went above me for answers to issues concerning my classroom or her time at C—even after I explained the appropriate chain of command. Instead of asking me, she decided to ask the assistant principal for a key to my classroom. Also, she asked my department supervisor, instead of asking me, if she could remain at CV after she graduated to continue teaching my senior courses.

As far as professional dress is concerned, I needed to inform Miss Snyder that flip-flops are not professional attire. She was also overly eager to wear jeans and dress down at any and all opportunities; however, she has not made the required donations to participate in the dress down days (to CVEA in support of our scholarship fund and to the Wellness team).

Oftentimes, criticism of Miss Snyder's lack of professionalism came to me from my colleagues at CV, to which I could only apologize on her behalf. One staff member noted that when Miss Snyder observed her class that she sat in the back of the room and scanned her textbook to plan for her next block's lesson instead of observing the teacher's interactions with the class. Many staff members have commented to me that Miss Snyder's forwardness with staff or lack of attention to procedure demonstrated her inability to observe professional boundaries.

Additionally, Miss Snyder asked to leave for an 11:30 doctor's appointment on May 8; however, a department colleague informed me that she overheard Miss Snyder making the appointment with the doctor on her cell phone in the faculty lounge/prep room. According to this teacher, the appointment was clearly set for 3 p.m., which Miss Snyder definitely announced to a substitute teacher in the lounge.

**Deann Buffington**

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**From:** Stacy Snyder [ssmb112801@yahoo.com]  
**Sent:** Wednesday, May 10, 2006 9:46 AM  
**To:** Nicole Reinking, J Barry Girvin, Deann Buffington, judith.wenrich@millersville.edu, Jane.Bray@millersville.edu, Kim Seldomndge  
**Subject:** Formal Apology Letter

Dear Supervisors and Administrative Staff of Conestoga Valley High School and Millersville University:

I have enclosed a formal letter of apology that I hope you read and consider.

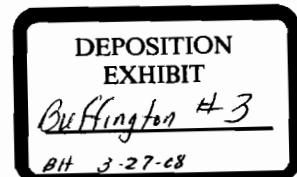
Thank you for your time and regret the circumstances which evolve it.

Sincerely,

Stacy L Snyder

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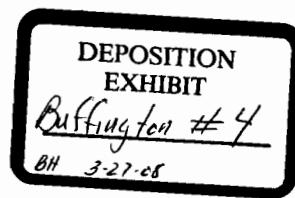
Yahoo! Mail goes everywhere you do. Get it on your phone.



Email that I planned to send to you

In response to Stacy Snyder's letter, I need to state that this young woman, in my opinion, should not pass student teaching. Nicole Reinking has coped with a great deal this semester, and I have served as a confidante and advisor. Stacy's content knowledge, as is obvious from the numerous errors in this memo and letter because of her lack of knowledge about the English language, is one factor. In addition, her lack of professionalism, throughout her stay and most recently with her inappropriate actions, is another factor. Here at Conestoga Valley, if a teacher receives an unsatisfactory rating in the professionalism category on the state form, that teacher receives an unsatisfactory rating overall. It will be no surprise to me if our excellent teachers here at CV do not volunteer again to serve as cooperating teachers for Millersville students.

Deann Buffington, Supervisor of Communications



Wenrich notes re: Stacy Snyder from conversation with Deann Buffington, Department Chair, 2/20/07

Academically, she was poor  
No sense of the use of words  
Without background knowledge  
No sense of decorum  
Her behaviors and interactions were beyond belief  
English skills were very poor – the copy of the letter that she sent us afterward as an apology was not well written- you wouldn't think she was an English major  
She misspelled Shakespeare on the board – it wasn't an oversight; she didn't know how to spell it  
Her behavior was the straw that broke the camel's back  
Appearance sometimes inappropriate  
Her comments were way out of line  
She encouraged students to get on and chat  
She made derogatory comments about Nicole (co-op) and the school  
There is no way that she should have a teaching certificate  
She had negative interactions with many other staff members  
After the MySpace incident, we met with Stacy (Barry Girvin, Nicole, and me)  
We received a letter of apology from her – Well, it was intended as a letter of apology, but it also justified what she had done.  
We wouldn't tolerate teachers who acted as she had; we wouldn't tolerate teachers with that lack of preparation  
She was a complainer  
She was given directions to speak with Nicole, but she would continue to come to me  
I don't see how she could get a satisfactory rating  
After this experience with Stacy, we didn't want to take Foundations Block students, Professional Block students, student teachers  
We were very wary to get back on board placing MU students

